

State of Connecticut
Department of Administrative Service
State Marshal Commission
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W. Martyn Philpot, Jr., Esq.
Chairperson

Douglas Rinaldi
Administrative Manager

Draft
Minutes
STATE MARSHAL COMMISSION MEETING
January 30, 2014

Members present; W. Martyn Philpot, Jr., Esq., Chairperson; Michael Cronin, Esq., Vice Chairperson; Hon. Elizabeth Bozzuto; Joel I. Rudikoff, Esq. and Mildred Torres-Ferguson (from New Business 1 on). Robert P. LaTorraca and Sarah Fryxell, Esq., participated by teleconference. Also present was Ex-Officio Marshal Lisa Stevenson (non-voting member) and Administrative Manager Douglas Rinaldi and Staff Attorney Elizabeth Collins (not voting). Vincent Mauro, Jr., and Ex-Officio Thomas Burke were not present.

Chairperson W. Martyn Philpot, Jr., Esq. called the meeting to order at 4:30 p.m.

First Business:

The December 18, 2013 special meeting minutes were adopted, by a vote of 6-0, after a motion by Vice-Chairperson Michael Cronin, Esq., seconded by the Hon. Elizabeth Bozzuto.

The amended minutes of November 20, 2013 were voted onto the agenda by a 6-0 vote, after a motion by Vice-Chairperson Michael Cronin, seconded by the Hon. Elizabeth Bozzuto. They were adopted as well, by a 5-0 vote, with the Hon. Elizabeth Bozzuto abstaining.

New Business:

1. Restraining Order Task Force

The Commission was given an update on the proceedings of the Restraining Order Task Force, including a discussion of fees, protocol and other issues involving civil protective orders. They were also advised of the upcoming Legislative filing of the Task Force Report.

2. Property executions/turnover orders

The Commission engaged in a discussion of the manner in which property executions and turnover orders are served and heard comments from Ex-Officio Marshal Lisa Stevenson. The Commission took no additional action.

3. Fee Waiver/fees for point of service fees

After a discussion of the problem of up-front costs to state marshals in some types of service, such

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as at the Department of Motor Vehicles; the Secretary of State and the Insurance Commissioner, the Commission determined that further inquiry with Judicial would be appropriate on types of billing receipts would be needed and what costs will be covered in fee waivers.

4. State Marshal Exam

Administrative Director gave an overview to the Commission about the new state marshal exam planned, including some revisions to the exam itself. He noted that he will report back to the Commission as needed as the exam procedures move forward.

5. Multiple Executions

The Commission was up-dated on the matter of multiple executions. It agreed that further discussions with Judicial are appropriate to address problems in the area.

The Commission, after a motion by Joel I. Rudikoff, Esq., seconded by Vice-Chairperson Michael Cronin, Esq., voted unanimously, 7-0, to go into Executive session to discuss personnel issues listed below. The individuals present included those listed above. The Commission voted unanimously 7-0, after a motion by Joel I. Rudikoff Esq., seconded by Mildred Torres-Ferguson, to return to the public record. No votes were taken in executive session.

6. Appeal to Superior Court/File No. 12-75 McLoughlin/Martin, Jerome

After a motion by Vice-Chairperson Michael Cronin, Esq., seconded by Joel I. Rudikoff, Esq., the Commission voted unanimously, 7-0, to delegate to the Chairperson, the authority to engage in discussions, assisted by the Attorney General's office and administrative staff, regarding File No. 12-75 McLoughlin/Martin, Jerome, currently on appeal in the Superior Court, and to act as deemed appropriate.

7. Execution Documents/McLoughlin/Martin, Jerome

After a motion by Vice-Chairperson Michael Cronin, Esq., seconded by Joel I. Rudikoff, Esq., the Commission voted unanimously, 7-0, to seek addition information from Marshal Martin regarding the served ejectment document in File No. 12-75, and the court document.

8. Correspondence from Larry Chace

After a motion by Vice-Chairperson Michael Cronin, Esq., seconded by Joel I. Rudikoff, Esq., the Commission voted unanimously, 7-0, to authorize the Chairperson to send a reply to Mr. Chace regarding the fairness of his proceedings.

9. Final Decision Follow-Up

The Commission, after a motion by Vice-Chairperson Michal Cronin, Esq., seconded by Joel I. Rudikoff, Esq., voted unanimously, 7-0, that Marshal Carragher's affidavit on changes in his wage execution procedures fully satisfies the Commission's request, in File No.13-21 Sinagualia/Carragher.

The Commission, after a motion by Joel I. Rudikoff, Esq., seconded by Mildred Torres Ferguson, voted unanimously, 7-0, to adjourn the meeting at 6:00 p.m.