

Regular Meeting of the
Ethics Committee

Wednesday November 3, 2021

Office of the Probate Court Administrator

186 Newington Rd.
West Hartford, CT 06110

MINUTES

Attendees: Judges Michael F. Magistrali - Chair, Beverly Streit-Kefalas, Philip Wright, Charles K. Norris, and John McGrath.

The meeting was called to order by Judge Magistrali at 4:05 p.m.

Judge Wright moved that minutes of the October 20, 2021 meeting be approved. The motion was seconded by Judge Streit-Kefalas. The motion passed unanimously.

Judge Norris moved to take off the table the motion to amend the Code of Probate Judicial Conduct, which motion had been tabled at the October 20, 2021 meeting. The motion was seconded by Judge Wright. The motion passed unanimously.

Judge Magistrali moved to amend the original motion as follows:

That the current Code of Probate Judicial Conduct be amended to add Comment 5 to Rule 3.1 as follows:

(5) "Extrajudicial activities" include a judge's participation on social media. While a judge must exercise extreme caution when engaging in any type of electronic communication, including communication by text or email, participation on online social networking sites or otherwise posting material on the Internet are particularly problematic, given the accessibility, widespread transmission, and permanence of electronic communications and material posted on the internet. Such activity demands particular attention.

The same rules that govern a judge's ability to socialize in person, on paper, or over the telephone apply to all electronic communications, including on the internet and social networking sites. While judges are not prohibited from participating in online social networks, such participation is fraught with peril, and they should exercise restraint and caution in doing so. For example, a judge should not identify himself as such, either by words or

images, when engaging in commentary or interaction that is not in keeping with the limitations of this Code.

The motion to amend was seconded by Judge Streit-Kefalas. The motion to amend passed unanimously. Judge Magistrali moved that the original motion, as amended, be approved. The motion was seconded by Judge Streit-Kefalas. After discussion, the motion, as amended, passed unanimously. The proposed amendment will be presented to the Probate Assembly at its January 2022 meeting.

There were no additional motions made concerning amendments to the Code of Probate Judicial Conduct.

There was no other new business.

Judge Wright moved that the meeting be adjourned. Judge Norris seconded the motion. The motion passed unanimously and the meeting adjourned at approximately 4:20 p.m.

Respectfully submitted,

Judge Michael F. Magistrali