

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by)	
Virginia F. Mackiewicz,)	Report of Hearing Officer
Complainant)	
)	Docket #FIC76-177
against)	
)	December 9, 1976
Attorney Carl Peterson and the)	
Grievance Committee of the)	
Waterbury Bar Association,)	
Respondents)	

The above captioned matter was heard as a contested case on October 29, 1976, at which time the complainant and the respondents appeared and presented testimony and argument on the complaint. Prior to determining the merits of the complaint, the question of this Commission's jurisdiction was raised by the respondents by their motion to dismiss.

After consideration of the entire record, the following facts are found:

1. The respondents are Attorney Carl Peterson and the Grievance Committee of the Waterbury Bar Association.

2. The present complaint was brought by letter filed with this Commission on October 4, 1976. The complainant alleged therein a denial of her request made to the respondents for a copy of a tape record in the possession of the respondent grievance committee.

3. The respondents contend that a grievance committee does not fall within the definition of public agency as stated in §1(a) of P.A. 75-342 and that therefore this Commission lacks jurisdiction to determine this controversy.

4. The judicial offices, officials and bodies of the superior court are not included as public agencies as to either their administrative or judicial functions within the definition of public agency under §1(a) of P.A. 75-342.

5. The question before this Commission is whether a grievance committee is a judicial office, official or body of the superior court.

6. Prior to the adoption of the Connecticut General Statutes relating to grievance committees, the superior court adopted rules instituting grievance committees and providing for appointments thereon.

7. §51-90 et. seq. of the General Statutes, provides for the appointment of a grievance committee in the terms of this rule of court.

8. §21 A of the Connecticut Practice book provides that the records and transcripts, if any, of hearings conducted by a grievance committee shall be filed with the clerk of the superior court. It further provides that the aforesaid records shall be available only to that committee or the standing committee on recommendation for admission to the bar, unless otherwise ordered by the superior court.

9. It is found that a grievance committee is a judicial office, official or body of the superior court.

10. It is therefore found that a grievance committee is not a public agency within the definition of §1(a) of P.A. 75-342.

The following order by the Commission is hereby recommended on the basis of the record concerning the above-captioned complaint:

1. The complaint is hereby dismissed since the Commission lacks jurisdiction over same under P.A. 75-342.



Commissioner Judith A. Lahey

as Hearing Officer

Approved by order of the Freedom of Information Commission on
December 22, 1976.



Leslie Ann McGuire
Clerk of the Commission