

NO. LLI-CV21-5014019-S : SUPERIOR COURT
JON A. GOODWIN :
 : JUDICIAL DISTRICT OF LITCHFIELD
V. : AT TORRINGTON
MILOT, ET AL. : JULY 12, 2022

MEMORANDUM OF LAW IN SUPPORT OF
MOTION TO SEAL

Pursuant to Connecticut Practice Book 11-20A, Defendant Hardy-Massaró respectfully moves for entry of an order sealing her Motion for Summary Judgment and memorandum of law and accompanying exhibits, filed on July 12, 2022. Such documents contain sensitive information pertaining to the underlying child protection matter and minor children. The safety and privacy concerns in an underlying child protection action greatly overrides the public’s interest in viewing such materials. Therefore, the Defendant seeks relief in filing the requested documents under seal.

Practice Book § 11-20A governs the sealing of files or limiting of disclosure of documents in civil cases. Generally, except as otherwise provided by law, there shall be a presumption that documents filed with the court shall be available to the public.” Conn. Prac. Bk. § 11-20A(a). Nonetheless, “the judicial authority may order that files, affidavits, documents, or other materials on file or lodged with the court or in connection with a court proceeding be sealed or their disclosure limited only if the judicial authority concludes that such order is necessary to preserve an interest which is determined to override the public’s interest in viewing such materials.” Conn. Prac. Bk. § 11-20A(c).

The laws of Connecticut affirm that the records of child protection matters contain sensitive information. Connecticut General Statutes § 46b-124(b) states in pertinent part that “[a]ll records of cases of juvenile matters . . . shall be confidential and for the use of the court in juvenile matters, and open to inspection or disclosure to any third party . . . only upon order of the Superior Court.

...” Conn. Gen. Stat. § 46b-124(b). Section 46b-124 denotes specific, limited exceptions in which disclosure is permitted. Specifically in this action, this Court has already granted similar motions to redact other pleadings on similar grounds Defendant Hardy-Massaró raises here. (Doc. Nos. 108.10;116.10).

Here, the documents in question directly reference and attach herewith exhibits consisting of records of the Juvenile Court in the underlying child protection matter. *See* Conn. Gen. Stat. § 46b-124(b). In fact, the undersigned had to receive special permission from the Juvenile Court to obtain copies of specific court orders necessary to defend against the instant action. On March 8, 2022, the court (*Turner, J*), granted the undersigned access to copy and disclose under seal certain court records in the underlying child protection matter for the limited purpose of defending the instant civil suit. The interests of the Defendant in maintaining the privacy of the underlying child protection matter vastly overrides the public’s interest in viewing such materials. Therefore, Defendant Hardy-Massaró seeks relief, namely, to file her Motion for Summary Judgment, Memorandum in Support and accompanying exhibits.

Respectfully Submitted,

DEFENDANT
Hardy-Massaró

WILLIAM TONG
ATTORNEY GENERAL

By: /s/ Samantha C. Wong

Samantha Wong
Assistant Attorney General
110 Sherman Street
Hartford, CT 06105
Tel: (860) 808-5450
Fax: (860) 808-5591
Juris No. 441242
Email: Samantha.Wong@ct.gov

CERTIFICATION

I hereby certify that on July 12, 2022 a copy of the forgoing was filed electronically and was or will immediately be mailed or delivered electronically to all parties of record and that written consent for electronic delivery was received from all attorneys and self-represented parties who receive or will immediately be receiving electronic delivery:

John R. Williams
John R. Williams and Associates, LLC
51 Elm Street Ste. 409
New Haven, CT 06510
jrw@johnrwilliams.com

Law Offices of Rebecca Mayo Goodrich
23 South Main Street
P.O. Box 1420
New Milford, CT 06776
rmg@mayogoodrichlaw.com

/s/ *Samantha C. Wong*

Samantha C. Wong
Assistant Attorney General