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REP. GRESKO (121ST): I'm officially calling the February 25th, 2021 public hearing of the Executive and Legislative Nominations Committee to order, it is 10:07. I'm House Chair Joseph Gresko thank you for joining us this morning. As you know, our Committee interviews nominees as a form of checks and balances, and our nominees will be allowed to give an introductory statement very shortly. Our agenda has a single candidate for a Claims Commissioner today, nominated by Governor Lamont. Congratulations, Christy on your renomination.

CHRISTY SCOTT: Thank you.

REP. GRESKO (121ST): So all else fails unless I have a comment from my Co-Chair, we're good to go. So the House Joint Resolution conform reconfirming Christy Scott of Berlin, as a Claims Commissioner. Christy, we have one item to do before we let you have your opening statement. Will you please raise your right hand into the screen so we can see it. Do you promise, swear or affirm to tell the truth, the whole truth and nothing but the truth?

CHRISTY SCOTT: I do.

REP. GRESKO (121ST): Great. The floor is yours, Ma'am.

CHRISTY SCOTT: Thank you. Good morning, Senator Duff, Representative Gresko, Senator Kelly, Representative Kennedy and Members of the Committee. My name is Christy Scott, as Representative Gresko

just told you, and it is an honor to be here before you as Governor Lamont's nominee for reappointment to the position of Claims Commissioner. When I appeared before this Committee for my initial nomination, I committed to an efficient, timely and transparent claims process.

I'm confident that we have achieved our goals of an efficient and transparent process. Although technology will soon improve our performance in both areas. I'm disappointed to admit that we have not yet achieved the goal of a timely process, primarily because of my battle with a disabling health condition, which I'm going to discuss further later. But first let me discuss some of our accomplishments.

I'm pleased that we implemented all of the following. We simplified all of our forms and templates and are now using non-technical language so that we can be more accessible to all of our claimants, many of whom are inmates or pro-se-claimants. We have done a head to toe overhaul of our website, including placing simplified fillable forms on the website for both new claims and our fee waiver applications.

We placed detailed instructions on how to file a new claim as well as easy to understand guidance about various aspects of the process, including what to expect at a hearing. What the statute limitations means, what types of relief were available at the Claims Commissioner's office. And we placed links to statutes regulations and other useful resources on the website as well.

We began electronic transmittal, oh, I skipped some things-- We shortened deadlines for all aspects of the process. When I came in, there were very long that deadlines that were had been set for various pieces of the process. I thought that seemed excessive, that if parties needed more time they

could ask for it, but let's shorten up these deadlines, create an expectation about how quicker process, we did that. And we began electronics transmittal of new claims to the attorney General's office so that they could file appearances more quickly. And we could speed up the process in that way.

We also began accepting pleadings by email, which was new. We had previously expected a copy by fax or mail. And so email was a lot more convenient for most of our practitioners. And we've finally developed and implemented a case electronic case management system. When I first came into the office, our staff was tracking cases on paper. They were actually using a notebook to track cases in the motions and what have you. So we implemented a software program that allowed us to track everything electronically, and it has really improved our efficiency and transparency in the sense that we can respond to inquiries a lot more promptly and accurately.

So during last piece, we also are ready, almost ready to begin testing a public software program. That's going to allow parties to file-- I saw a question coming. No, shall I keep going? Okay. we also are going to begin to testing a public software program. That's going to allow parties to file new claims electronically and all their pleadings electronically, and it will allow the public to view the status of claims and even do searches for documents and review documents online.

So we expect this improvement to greatly improve our efficiency and the transparency of our process because people will be able to look at documents without having to come down to our office to see them. So I'm very pleased about all of that. I think those are very significant changes that have maybe offer us more efficiency and more transparent. And

we're just continuing with that and there'll be more of that coming online, as we move forward.

There have been significant statutory changes that have happened since I was appointed initially. The legislature has passed two significant Bills. One was public act 16-127, and its highlights were that it authorized the office to use magistrates to help resolve claims. And it required the exhaustion of remedies for inmates before they could bring a claim. It also significantly rewrote the wrongful incarceration statute. And then public act, 19-182, increased the maximum amount that the Claims Commissioner could make award to parties from \$20,000 to \$35,000.

So it allows the Claims Commissioner to resolve more claims without them having to go to court or to come to the legislature. And it increased the amount for legislative appeals from \$20,000 to \$50,000. It also allowed medical malpractice claims to be filed directly in Superior Court, which I think is more efficient for them because what was happening is that if they satisfy the requirements for Superior Court, the Claims Commission was required to send them to superior court. So she was really just kind of a wait station for something that was already going to end up there anyway. It made a lot of sense to just let them go straight there and let the Superior Court judges bump them out if they didn't satisfy those requirements.

But I would like to discuss further the use of magistrates. I am extremely grateful to the legislature for authorizing the use of magistrates to help with our case load and to fund us with a lump sum of money, that we have been using over the course of several years because they've been authorizing our carry forward and that's been great, but the reason we haven't used all that money in one fell swoop was largely because of the nature of the

way magistrates can be used. These are all-- they're very professional, hardworking lawyers.

We've been-- had a real privilege to work with them. They've been a great resource for me because I can talk to them. And they're another, you know, another set of years that I can talk to you about legal issues and they've been great to have on board, but they are all-- lawyers were an independent practice and their availability is limited and they're not available full time to me. And it's been a relief to have them available to handle hearings and other work on an occasional basis, but they are not a substitute for a full-time entry-level staff attorney, which is what I believe the office really needs in order to function properly. And I've said that before, this is not a new recommendation.

The Commissioner's workload involves a fair amount of work that is fairly routine and straightforward like motions to dismiss for lack of sanction manager jurisdiction, which I have mitigated many, many, many of. And that work needs to be done by a lawyer, but it doesn't necessarily need to be done by a very experienced lawyer. And then the office has more complicated work that does require the attention of an experienced lawyer. If I had a staff attorney who could be tasked with these more routine matters and could be freed up for the work that requires an experienced eye, the improvement in the efficiency and timeliness of the office's work would be exponential.

So, let's discuss the obstacles offices faced. As I just mentioned, one of the offices ongoing obstacles, which predates me predates the former Commissioner it's been an issue for the office for many years is the lack of resources. We currently operate with one paralegal and a half-time processing technician. The entry-- the addition of one entry-level staff attorney would make a significant difference to our little team.

Like most agencies we've been impacted by the challenges brought by the pandemic as a small agency housed within a large agency for administrative purposes only, we struggle when either of our two staff members misses work or productivity for any reason. And I don't say that in any way to disparage the support we received from DAS, they are wonderful. They give us great business office support and human resources support, but they are there to provide us with staffing support. That's not what they do. And so when we do have a staffing issue, we just have to be creative, get creative and do what we can to try to fill that gap, because we don't really have a support, you know, a net, alright you get it. We don't have a safety net for that situation.

The changes imposed by the pandemic threatened to make our precarious situation that much worse, but we made creative arrangements and have kept the off the work of the office moving along and I'm fairly proud of that that my staff was willing to be flexible and we all worked together and took on different roles than we have previously had and we got it. We kept it going. So I'm very proud of that.

Unfortunately, a significant obstacle to the officer's work has been my health issues. I suffered an extended period of disabling out. So a health problem that reduced my productivity and required me to take sick leave at times. A number of you on this Committee, know me from my time working here at the legislature. And you may remember me as someone who typically had her head down in her computer in the midst of whatever chaos or whatever, late hour where we were all experiencing. I've always prided myself on that trait that I am focused and hardworking, and that I succeed at tasks that I undertake.

I have been extremely frustrated by my inability to be that person and disappointed as I watched myself

fail to meet my own standards for myself, I have not been able to improve the office's timely resolution of claims and claimants have been kept waiting longer than is acceptable because of my health problems. And I deeply regret that. And I would like to apologize to each and every one of them. And in fact, I have apologized to many of them over the course of handling their claims.

After much experimentation with medicines and other treatments, my doctor and I finally seemed to have found an approach that allows me to work like my old self. And I have-- while I'm probably not ready to draft amendments at 3:00 AM just yet, like I used to do fortunately that's not within the Claims Commissioner's job description. So, I will say though, in all seriousness, if I were not improved enough to be able to work normally and be fully productive again, I would not have accepted the Governor's nomination.

I had felt too much distress about how my health has impacted claimants to want to put myself or them through that again. So that said I don't want to exaggerate the impact of my health on the office-- Work in the office. The work of the office has not been at a standstill. We have continued to process and dispose of claims and our backlog, although somewhat larger than the one I inherited is not egregiously larger. It is not insurmountable. As you may know we have, there has always been a backlog at that office. It predates me, it predates Commissioner Vance, that the office has been chronically under-resourced and has had a chronic backlog. And that is a problem that I think commissioners have struggled to know how to resolve and that we still I think have to figure out how to resolve.

So in addition, we've had another little wrinkle over the past couple of years, which is that the claims that we send to the legislature each year for

review were not sent back to us in 2019, 2020, which prevented us from resolving those particular claims, it's about 200 claims. And then we sent another 80 this year. So we're-- right now we've about just shy of 300 of our claims sitting at the legislature. We are optimistic that we will get those claims back this summer. We've been told by the judiciary chairs that if that's a priority for them, so fingers crossed, we'll get those back and we will be able to tackle them as soon as possible, knowing that those claimants must be particularly frustrated to have been put on hold for longer than they expected. So thank you for your attention and I'm ready to answer your question.

REP. GRESKO (121ST): Thank you, Commissioner Scott, how are you feeling today?

CHRISTY SCOTT: I am feeling marvelous today. I'm actually really happy to be here. It's been a long while since I've seen many of my friends' faces and it's been a long while that I've been in the job and been wanting to have an opportunity to talk about the work we've been doing and the issues that we faced.

REP. GRESKO (121ST): And we're all glad that you're feeling better. And now I'm a not an attorney. So I'm going to leave the technical questions to the members. But one question that interests me and maybe you can tell us what you would classify your style as whether or not you felt you were neutral, or were you put in that position to, you know, defend the state from these lawsuits?

CHRISTY SCOTT: I don't think that I'm either actually. So as I see the role, the legislature constitutionally has the power to decide whether it should waive its sovereign immunity. When somebody comes to the state and says, state, you hurt me in the course of you injured me in the course of your activities, and you should compensate me for that.

You should give me money because you hurt me. The legislature is the body that decides whether or not to compensate that person, whether to waive its sovereign immunity and over time, that burden became too heavy for the legislature. So it delegated that responsibility to various entities and overtime that entity became the Claims Commissioner.

So it's my job to just exercise the legislature's duty to waive the sovereign immunity. But I do that according to its instructions and the instructions the legislature's given me are in the statutes. So, what I see as my role is to read the statutes and do what the legislature's told me to do. And so I think what you-- in terms of who does that favor? Is it the state or is it the claimant or what's the role?

I think the statutes strike a balance, I attempt to strike a balance between protecting the state's resources in the public risk and recognizing when claimants, when people who've been injured have you know, adjust claim that should be paid. And then the statutes strike that balance in a particular way. And it's just my job to sort of read the statutes and do what they've told me to do and strike that balance the way the statutes of sender strike it. So that's kind of the way I see the role. Does that make sense?

REP. GRESKO (121ST): Thank you. And I have one more question and then I will be turning it over to my Senate co-chair, but in the meantime, if members do have questions, if you can raise your, and in the zoom link we will start the queue for that. But my other question was, currently there is a proposed Bill, House Bill 6506. And so I'm accurate, it's revising procedures of the office of the Claims Commissioner, including authorizing claimants to file a certificate of merit, allowing you to grant permission to sue the state without a hearing and providing that certain claims have time limits or

they are deemed granted permission to sue the state, your idea, or do you support it?

CHRISTY SCOTT: Yeah, it wasn't my idea, but I have had conversations with some folks who I think that the ideas originally came from, or at least who liked the idea. What I'll say about it is that I don't have any objections to it. I see no harm to the office from it, I think that it would certainly from an office point of view, it would help us clear out our backlog. It would do that.

I think from a public policy point of view, what I would say is it would balance that, the roles I was talking about, the protecting the state's resources versus making sure claimants get compensated for injury, it would strike the balance differently than is currently struck by the statutes. And that's a public policy decision the legislature has to make. It would mean that more people would get paid than are currently being paid I think, because it would mean less vetting by the Claims Commissioner, right? Things would just go with less thorough review by the Claims Commissioner.

I don't know if that's a bad thing, it's a different balancing. And they would still get vetted by the Superior Court judges. So it's not like they wouldn't still be reviewed by a perfectly competent adjudicator. But it would mean that the attorney General's office would need to defend in court. But they wouldn't be defending them at a hearing before Claims Commissioner. So, you know, if you can argue that maybe it's not that much of extra burden on the state's resources and that you still have a Superior Court judge deciding what the merits are anyway. It would definitely clear out our backlog, so it would be beneficial to the office in that way.

So, I have no objection to it from the point of view of impact on the office and to the extent that it represents a different kind of balancing of the

state's interests. I say that's a public policy decision for the legislature, and I'm happy to do whatever the legislature tells me is it's well, so is that helpful?

REP. GRESKO (121ST): Well, very much so, Christy, thank you for the answer. Next, we're going to go up to my Senate co-chair Senator Duff, the floor is yours sir.

SENATOR DUFF (25TH): Thank you, Mr. Chairman. I appreciate that. And good morning again, everybody. Good morning, Christy. Good to see you.

CHRISTY SCOTT: Good to see you.

SENATOR DUFF (25TH): I appreciate it. Thank you for your testimony. Representative Gresko actually asked to kind of the million dollar question about the Bill that's out there right now, because I think which predates even you is there has been frustration. The fact of many of these cases that have been backlog for such a long time, and it really does inhibit people from getting their day in court and being able to get compensated if in fact that's, you know, they should be compensated -

CHRISTY SCOTT: Yes.

SENATOR DUFF (25TH): People now have waited a very long time. So can you just share with me how the-- as far as the backlog goes, what does the law longest-- What does the oldest backlog, I guess, so the oldest case that's out there, how many years?

CHRISTY SCOTT: Oh, well, that's a really good question. I wasn't expecting that one, but I do think I had the information. I just probably behind my computer-

SENATOR DUFF (25TH): You can get it to me later. That's fine. I mean, would you say it's more than five years?

CHRISTY SCOTT: Yeah, I do think we have, but you know, one thing you have to bear in mind is that some of the really old cases we have are sometimes pending for-- It's not always because the Claims Commissioner just hasn't done it job. It's sometimes the cases are pending because they were on stay for an extended period of time because the parties asked for them to be on stay.

So it's not always-- you can't just say, oh, there's been a case there since 2015. Isn't that terrible. It's often more complicated than that, but I think again, I can't tell you with 100% certainty without checking with our office paralegal. I think our oldest case is probably 2015. But I again would have to give you a caveat -

SENATOR DUFF (25TH): Okay, I didn't mean to stump yet.

CHRISTY SCOTT: No, that's okay. I wasn't expecting that one. I think it's-- I think it may be 2015.

SENATOR DUFF (25TH): How many?

CHRISTY SCOTT: I think it may be 2015.

SENATOR DUFF (25TH): 2015? Okay. No, that's good to know. So I think that, you know, it just, as we debate that Bill that helps us to kind of formulate whether or not that's a policy we want to move forward on if-

CHRISTY SCOTT: Yes.

SENATOR DUFF (25TH): The case has been lingering for six years and that means that it's, you know,

probably longer than that, even by that, because it gets to you when it gets to you.

CHRISTY SCOTT: Yeah.

SENATOR DUFF (25TH): So-

CHRISTY SCOTT: And I'll find out for you, and I'll look at the oldest cases and find out if there's a reason why they're there and that's beyond just, you know, the Claims Commissioner has been overwhelmed you know-

SENATOR DUFF (25TH): Yeah.

CHRISTY SCOTT: Because the oldest cases, I suspect there's some reason that they're still here because there's not very many of them that are, you know, so, but I can maybe give you a sense of where the line is, where there's a bunch of cases that are still there that are just hanging around because we've been overwhelmed and I can email you that as well.

SENATOR DUFF (25TH): Right. And for context point, that probably makes more sense than even, you know, what's the oldest case.

CHRISTY SCOTT: Yeah.

SENATOR DUFF (25TH): So I appreciate that -

CHRISTY SCOTT: Yeah.

SENATOR DUFF (25TH): Very much. And so I, again, as we kind of debate that Bill, I think it's important to kind of know, you know-

CHRISTY SCOTT: Yeah.

SENATOR DUFF (25TH): Because you don't want to have where people don't have the ability to have justice.

And it's not and again, you inherited a backlog, there's a backlog before that. You know, there's a staffing issue, obviously. So we're, I think, you know, as you come before this Committee, you know, we can vet that out a little bit to try and find solutions that we can talk to our colleagues about that as well.

CHRISTY SCOTT: Yeah. And another piece just to add in there, which I haven't previously talked about very much, but we also have seen a surge in the number of claims being filed every year. So we had in-- we typically, as I understand it in the past years, it's varied around 400-ish, you know, give or take a bit, we had 5-- 493 in 2018, 626 in 2019, 523 in 2020.

SENATOR DUFF (25TH): Yeah.

CHRISTY SCOTT: And then it would go down for our COVID year our 2021 report, which was the 2021/2020 year. But we've seen in the number of claims just keeps going up and up. So, you know, and that doesn't help with the problem, you know, the ongoing backlog when the number of the volume is going up on the front side.

SENATOR DUFF (25TH): That's great. Yeah, no, I hear it. And I would say, you know, the provisions we put in to help, I think have getting you some additional with judge trial referees, did you say?

CHRISTY SCOTT: The magistrates -

SENATOR DUFF (25TH): Magistrates district, yeah.

CHRISTY SCOTT: They come off with the small claims and motor vehicle list -

SENATOR DUFF (25TH): Right.

CHRISTY SCOTT: At the judiciary, and then they work as magistrates for us, and they've been helpful, but like I said, they're not, you know, as available. They don't sit in the office and I don't teach them how I handle a certain piece of the work. And then they go to town on all those cases. That's not the way it works, which is what would be really helpful, right. To be able to say, Hey, here's all these motions to dismiss. Here's how I handle them. Go crazy. Instead, you know, I'll have a hearing this week, I'm really trying to get this big case out. Can you find a magistrate to handle it? You know? And that's how they've been helpful, which is great, but it doesn't take enough far enough to really, you know, feel as impactful as really a full-time staff attorney would, you know.

SENATOR DUFF (25TH): Okay, great. I appreciate it. Thank you, Christy. Thanks for your answers. Thank you, Mr. Chair.

CHRISTY SCOTT: Thank you.

REP. GRESKO (121ST): Thank you, Senator. Next, we're going to go to Senator Looney or Senator President sir, the floor is yours.

SENATOR LOONEY (11TH): Thank you. Thank you, Mr. Chairman. And congratulations, Christy, on your renomination and great to see you.

CHRISTY SCOTT: Thank you, sir, nice to see you, thank you.

SENATOR LOONEY (11TH): Great to see you. Just a couple of questions for any-- would you recommend any statutory changes to the general assembly this year, other than the budget change of adding a full-time staff attorney to the office, as you mentioned earlier, are there any other things that you would recommend to us as the legislation this year?

CHRISTY SCOTT: Well, I have had some conversations with some of the claimant side attorneys who've appeared before us about whether I should have more flexibility to waive hearings and take on cases just on documentary evidence. So right now the statute only allows me to waive hearings, if the claim is of \$10,000 or less, and, you know, I think that there's an argument to be made that perhaps the Claims Commissioners should have the discretion to waive a hearing in any case, if she thinks it's amenable, but or at least that the amount should be higher at the very least. Because some cases really don't necessarily need a full evidentiary hearing with witnesses and cross-examination and what have you.

So, that's one conversation that we've had, and that I would be interested in seeing some modification, perhaps a little bit more flexibility to dispose of evidentiary hearings in more cases, if they can be handled on just with documentary evidence. But other than that I think a lot of the changes that have already been made in the last few years have been helpful and that we shouldn't be able to do what we need to do. It would be nice to have more resources, but other than that, I think we can work with the statutes that we've got pretty effectively. Yeah.

SENATOR LOONEY (11TH): I had another question, do you think that there are, are there any other categories of claims that you handle right now that you think it would be more efficient to allow them to go directly to Superior Court? And in other words, if there are any other areas where you don't think the issue of sovereign immunity should apply to require these cases to be routed to the Plaintiff's commissioner, are there any other cases where you think direct action would be appropriate where the state is the defendant?

CHRISTY SCOTT: Oh, that's an interesting question. Well, you know, I think there's a strong argument to be made for some of our wrongful death cases that if

I have to decide whether permission to sue should be granted, they're just very evidence intensive, right? There's big dollar amounts and the state is going to really want to do extensive discovery before in fight it pretty hard at our level, which means that if I do grant permission to sue, then it's going to be, it's a double trial, if you will. And that doesn't seem very efficient.

SENATOR LOONEY (11TH): Right.

CHRISTY SCOTT: So perhaps some of those wrongful death cases, because it's a similar type of situation, like the medical malpractice, where it's a lot of money, it's a very high stakes case. And it doesn't seem efficient to make the case that the parties sort of try it twice. Maybe those might be amenable to being sent along with if we had, you know, so a good faith certificate and some documentary evidence and you know, well-planned document that sort of thing. Something like that.

SENATOR LOONEY (11TH): Right. I was thinking as those, as you say, those are going to be in intensive in terms of process at your level, and then it's replicated all over again at the Superior Court level, so it goes to go to trial-

CHRISTY SCOTT: Yes.

SENATOR LOONEY (11TH): And lightening the whole process is greatly, right. You know, obviously we have in, in cases where there's motor vehicle accidents, you know, the sole approximate cause standard where they, if there's any other contributing factor, the state is laid out as a defendant in those cases. But are there any other cases where you think we should have that standard? In other words said what we have in the motor vehicle cases, where if there's any element of contributory negligence the state is out, or if there's evidence of a third party, other than the

state being partially responsible, the state is out altogether. Do you think, are there any other situations like that, that we should extend the sole approximate cause standard to?

REP. GRESKO (121ST): It's like back in law school?

CHRISTY SCOTT: Well, you know, Senator Looney is actually raising a really interesting question because the statute, Senator Looney currently says 4-142-A2 says that claims upon which suit otherwise is authorized by law, including suits to recover similar relief arising from the same set of facts are excepted from the Claims Commissioner's jurisdiction. And it's very, this is a very interesting question you're raising because what has the-- as best as I can determine, because there's no real body of law at the Claims Commissioner's office, there's no way to research precedent and no Claims Commissioner is bound by another Claims Commissioner.

SENATOR LOONEY (11TH): Right.

CHRISTY SCOTT: So it's very difficult to sort of ascertain a case law if you will. But to the extent I can determine what past Claims Commissioners have done, it appears that path how they've interpreted that provision is that if a claim can be brought against the state in another forum, then you dismiss the case for lack of subject matter jurisdiction.

So if you have a 1983 action in federal court, you dismiss the case. If the claim can be brought against a state employee under 4-165, because the state employee's actions were wanting reckless or malicious, and therefore they don't have state immunity anymore then you have to sue the state employee and dismissed for lack of subject matter jurisdiction. But -

SENATOR LOONEY (11TH): Right. So the claims can get involved then, right. Yeah.

CHRISTY SCOTT: Right-

SENATOR LOONEY (11TH): Right-

CHRISTY SCOTT: But if you can sue another, a third party, who's not a state actor.

SENATOR LOONEY (11TH): Right.

CHRISTY SCOTT: And you can, the question is, well then should you also dismiss it against the state because you can sue this third party-

SENATOR LOONEY (11TH): Right.

CHRISTY SCOTT: And the Claims Commissioner have not dismissed those cases.

SENATOR LOONEY (11TH): I see-

CHRISTY SCOTT: They have handled those cases. What they have done tended to do is stay the Claims Commissioner action, pending resolution of the third-party action, and then allowed this Claims Commissioner action to move forward, as best as I understand it-

SENATOR LOONEY (11TH): I see.

CHRISTY SCOTT: With an offset for whatever remedy, whatever relief may have been granted in the third party action. So, but I I'm not quite sure how that reconciles with the language of 4-142-A2.

SENATOR LOONEY (11TH): I see.

CHRISTY SCOTT: So your question is calling up for me that the legal issue that I have not fully resolved in my mind yet about whether the state's

even on the hook, when there's a third party, that can also be on the hook.

SENATOR LOONEY (11TH): Maybe we should ask the Judiciary Committee just to take a look at that and the statute, right.

CHRISTY SCOTT: Yeah, it's a statute question straight in my mind. Right. But if we presume that-- if we presume that there is a third party on the hook and that the state can also be on the hook at the same time, then your questions is, and that is an interesting one. Is there any category where we should say no, if there's a third party on the hook and the state's not on the hook and I hadn't really thought about that particular subset of that question? I hadn't thought about it truthfully. Perhaps it should, maybe there should be when there's a third party who has engaged in criminal activity, perhaps.

SENATOR LOONEY (11TH): Yeah.

CHRISTY SCOTT: Maybe I'm not sure though. Well, that's-

SENATOR LOONEY (11TH): Good. I appreciate it. Yeah. Good. That is, I think it could be something that the Committee could look at through.

CHRISTY SCOTT: I'll give it a thought.

SENATOR LOONEY (11TH): Good, and just one other question. You mentioned that there's been an increase in the number of cases every year it seems that there are more cases filed. Is there been an increase in any particular category or getting more claims from prison inmates or is there any pattern to where the increase is coming from?

CHRISTY SCOTT: Well, I haven't asked our paralegal to research that question, but from just a gut and

based on what I've seen coming across my desk, I would say we've had a significant increase in inmate claims.

SENATOR LOONEY (11TH): And that's interesting, because we've seen a decline in the inmate population substantially over the years, about half of what it was at its peak. We're now under 10,000 inmates when we were over 20,000. So it seems we have more litigious inmates over the years.

CHRISTY SCOTT: Yes, and we created an exhaustion requirement.

SENATOR LOONEY (11TH): Yes.

CHRISTY SCOTT: So it should have, we should have fewer, but maybe I'm wrong about that. I mean, it could, that could just be, it's a very much a subjective answer I'm giving you so I could be wrong, but I can ask Tara to actually look at that question and we'll get you actual objective information.

SENATOR LOONEY (11TH): Yeah. I would like to see that because I know there are some inmates who are at litigation factories in and of themselves.

CHRISTY SCOTT: Yes.

SENATOR LOONEY (11TH): They have many habeas claims pending, and I assume maybe many claims commission issues pending as well. So sometimes it doesn't take a lot of inmates to create a large number of cases and I just-

CRISTY SCOTT: We do have frequent filings for sure.

SENATOR LOONEY (11TH): That's what I kind of expected because the same is true in the habeas category with the AGS office and that book. That was the only questions I had, I wanted to just to thank

you again for your service and look forward to your continued work on behalf of the state.

CHRISTY SCOTT: Thank you so much. Thank you.

REP. GRESKO (121ST): Thank you, Senator. Thank you for the education. And next with questions is our House Ranking member Representative Kennedy. Ma'am the floor is yours.

REP. KENNEDY (119TH): Thank you, Mr. Chairman. And good morning commissioner Scott. Welcome.

CHRISTY SCOTT: Thank you.

REP. KENNEDY (119TH): It's so nice to have you here and congratulations on your renomination. I don't have it in front of me. When were you first nominated to serve as commissioner of the claims?

CHRISTY SCOTT: I was confirmed in March of 2016.

REP. KENNEDY (119TH): Okay. And just following up a little on some of Senator Looney's questions, how many about how many claims are currently pending with the Committee right now?

CHRISTY SCOTT: Well, we have, I did pull this number. We have, if you subtract the number that are pending at the legislature, we have 767 pending, but there are 276 currently at the legislature.

REP. KENNEDY (119TH): Okay. And following along that you had mentioned in your testimony that you implemented an electronic case management system, does that help you to track the cases, what types of cases are coming in? So that honestly like Senator Looney had asked where the number of cases kind of come to, you said possibly inmate the most increases in inmate, does the electronic, can the case management system break those down so that you're

able to see what cases are and where they're coming from? Is that -

CHRISTY SCOTT: Yes, they will allow us, we do track if the claimants are inmates or if they're self-represented and we also track the category of claim, is it a personal injury? Is it a contract breach? Is it-- I'm trying to think of the different categories that we have, but we breaking them down by various typical types of claims that we get as well?

REP. KENNEDY (119TH): Okay. Thank you. And you had mentioned Senator Duff had asked about one of the oldest claims and you said it dated back to approximately 2016. Are there a number of other cases that go back that far or-

CHRISTY SCOTT: I thought, I think 2015, and I think we may have less than a handful that are-

REP. KENNEDY (119TH): I have gotten that.

CHRISTY SCOTT: You know, three or four that are 2015, but I, again, I'm just guessing based on my last time I was in at-- so we have a legacy database and we have our new database and I was in the legacy database a few days ago looking for something. And I think I recall that the oldest ones I saw there were a few 2015, but I could be misremembering. So I need to ask my paralegal to actually go and do a accurate review to make sure that I'm correct, but please don't hold me to it. It's just based on what I think I saw last time I was in that in our lab legacy database.

REP. KENNEDY (119TH): And you had mentioned your illness and I'm so sorry that you went through, that can emphasize with that, but you seem to be on your game right now. And that's awesome. I'm glad for --

CHRISTY SCOTT: I'm doing much better. Thank you. It's such a relief.

REP. KENNEDY (119TH): Yeah. And on that same note, so unfortunately when you were ill, who picked up the slack, who would do the cases, who did your workload when you were unavailable, would it be your paralegal? Cause you only have magistrates that help out here and there, but who was able to pick up on those cases during that time?

CHRISTY SCOTT: So that is I think, a real flaw, if you will, and the structure of the office, there's nobody to pick up anybody's slack, there's one Claims Commissioner, there's one paralegal, there's one processing technician. You know, we don't have safety net. And so what would-- what we did was that I did the work that needed to be done to keep the office moving along. You know, I did findings and orders. I, you know, I did withdrawals. I did, you know, I handled motions to the best of my ability. And, but the things that didn't get were the things that were the most taxing, right. I didn't handle new hearings. I didn't take on new hearings. I didn't write demanding memoranda of decision. And those all things sort of sat by the wayside because they required too much screen time.

One of the things I couldn't do was look at screens very long. And those things that were just too hard on me just didn't get done. And that's why a lot of stuff didn't get dealt with that needed to get dealt with. But I did try to handle the essential stuff, have the wheels rolling, right? The things that kept cases moving forward, except for that final resolution question decisions largely didn't get written because that was just too demanding. But the other stuff I did try to keep moving forward.

REP. KENNEDY (119TH): I appreciate it. And thank you so much for that. Mr. Chair, I have two more questions on, so, how do you determine what cases is it, what comes in first is what's already back

there. How do you make the determination of which cases to proceed with?

CHRISTY SCOTT: So, in terms of like what motions to dismiss to handle, or what case to schedule for hearing, or okay. So this is scheduled for hearing our paralegal, Tara. She really handles the case flow questions. And when she's the one who is when the pleading comes in, she's the one who's docketing it and doing the, you know, making sure that the next thing that's supposed to happen happens. And when we come to the point where right before a case is ready for a hearing, we ask the parties to submit something called a predisposition memorandum. It's like a pre-trial memo that you would file in Superior Court. That just basically says, here's what we expect to happen at the hearing. When we have both of those PDMs that have been filed the case is now ready for a hearing and Tara will send out a quarter scheduling it for a hearing.

So it's really Tara who says, okay, this case is ready for a hearing now. And what she'll typically do when she sets a date for the hearing is she shoots a notice over to me that, Hey, I'm scheduling this case for hearing on this day. And I accept it. If I don't accept it, or I have a problem with it. And then she'll find a magistrate if she can. And if she doesn't get a magistrate, we'll reschedule it for another day. And then she sends out the order to the parties and goes from there. So she's really the one who says this case is ready, let's schedule it. And so she's the one who's keeping track of that sort of thing. And so the same thing with motions to dismiss, if a motion to dismiss comes in, she's the one who puts it all in front of me, whether it's in our, now our electronic database, she can put it in my queue, or if it's something that comes in in a hard file, she puts the hard file on my desk and with the motion on top saying, Hey, this is ready for you to work on.

REP. KENNEDY (119TH): And just one last question. So, and as you were saying, a lot of your cases, the increases through inmates. And so they're probably a lot of, pretty much pro se cases. So they're doing the best to follow in accordance with the law. And I would imagine some of those respectfully or somewhat frivolous, or those somehow weeded out so that those cases don't get bogged down or that, so that you can proceed to the cases that like you were saying, get those ready to process through how was that done?

CHRISTY SCOTT: Yeah. So there's two ways that we try to hit those pretty quickly. One way is that when most inmates seek a fee waiver and when the fee waiver application, it comes to me, I always review the claim before I look at the fee waiver application. And if, and I don't read it carefully, but I read it, I skim it more than skim it, but not read it in detail, if that makes sense.

And I, so I carefully skim it and I look for clear jurisdictional problem. And if I see a clear jurisdictional problem, which he usually is that they're alleging a civil rights violation, which doesn't belong with us, it belongs to federal court. I will write, I create a note in the file, which we do all this on our electronic database and create a note that says, notice a possible dismissal, which is a document that I created when I first came there, which is a notice that we send out to the parties saying this case may be dismissed for lack of subject matter jurisdiction please submit a brief by this date if you wish to do so, you're on notice list.

And I tell them why, what I don't just say subject matter jurisdiction. I say, because it alleges a civil rights action that can be heard in federal court pursuant to 4-142-A2, whatever. And so then that note goes into a file. And as soon as this AGS position statement comes in, if they haven't raised the jurisdictional issue, which they frequently do

too then our notice will go out. But if the-- other thing we did with the AGS office is that they asked for my permission. I granted it for them to create a form letter or form document, which lists various grounds for dismissal subject matter, just dismissal with little check boxes next to it. And they said, would it be okay if we just check off a particular ground for dismissal and you, and just use that as our motion for dismissal, for these repeat issues? And I said, yes.

So now when they give it, when they're supposed to file a position statement, often we'll just get this form motion to dismiss that checks off the box that they think is applicable. And we then say to the other side, Hey, you have X amount of days to respond to this. And then we can just dismiss it on that ground if it's meritorious. So those are the two different ways that can be dealt with pretty quickly is that I either issue a notice of a possible dismissal or the AGS office uses their form chat box, and we get rid of it pretty fast. So yeah, in an ideal world, that's what happens.

REP. KENNEDY (119TH): Thank you so much Commissioner Scott for answering all the questions and I wish you the best. And please stay healthy. Thank you.

CHRISY SCOTT: Thank you, so much.

REP. KENNEDY (119TH): Thank you, Mr. Chairman.

REP. GRESKO (121ST): Thank you, Representative. Next to ask some questions is our House Vice Chair of the Committee Representative Quinn, sir, the floor is yours.

REP. QUINN (82ND): Thank you, Mr. Chairman. And thank you, commissioner Scott for your willingness to continue in this job. You talk about potential increases in staff and adding a staff attorney. Is

that going to solve your problems or ideally what would your office be staffed with?

CHRISTY SCOTT: I think that's ideally what the office would be staffed with is a junior level lawyer who could keep those motions that need to be dealt with every day moving along and freeing up the Commissioner to attend hearings and write decisions. That's the frustrating thing I found is it's really hard to clear off my desk and make the time to write decisions. Because I always, every single day, there's a pile of either discovery motions, or usually it's motions to dismiss.

And I felt that it is, I owe the claimants some explanation of why I'm doing the dismissing their case, even if it's just one paragraph. And I owe them at least one paragraph that says, I know what your claim is about. It's not just-- this claim is dismissed. So I write, I read your claim. I write this claim is about this one paragraph. And then I do some boiler plate that says, here's what our statutes say. And here's why, you know, this is where they're placed. So I don't have to rewrite it every time.

But it says, this is the statute. That is the basis for my dismissing your claim. And then I have a paragraph that says, here's why I'm dismissing your claim because you alleged a civil rights action, which satisfies this statute. And then I dismiss it, but that takes, you know, 20 minutes to half an hour to do one of those, right. It's not a fast thing. So I can only do so many in the course of a day and that could keep me busy all day long. We have so many motions to dismiss. And if that could be taken off of the plate of Claims Commissioner, those kinds of routine documents and the Claims Commissioner can focus on more complicated decisions. It would make a huge difference. Now the motion practice is really overwhelming.

REP. QUINN (82ND): Yeah. Understood. What would you say is the average time that a case pends before your commission, before a decision is reached one way or the other?

CHRISTY SCOTT: Yeah, it depends on the case. We have the cases that get dismissed often get dismissed pretty quickly how quickly it will depend on how quickly we get something back from the attorney General's office. They have been much more responsive in my term and since I came on board and they hadn't been in the past we had a big meeting in the very beginning of my term in which we kind of struck some agreements about, you know, I would let them do their form letter if they would agree that they would follow their parents within a week and would have filed their position statement within six weeks. And, you know, we sort of negotiated some things. And so they'd been a lot quicker than they used to be, but we still have to wait for them to respond and some attorneys are busier than others.

So I would say a motion to dismiss case. We can get it out in six months, you know, depending on the AGS and how responsive they are, but a case that you know, needs to go to hearing, it depends on how long the parties want to take with their discovery process. This discovery is entirely up to them. I don't require any discovery. But I also, if they agree don't limit their discovery, you have, as long as they're in agreement about how much they want to do. So if they kind keep coming back and saying, Hey, we want to do more discovery and we're in agreement. And I keep saying, okay, you can do more discovery. You know, this is as long as both parties agree so that it really depends on them in terms of how long it takes to get to a hearing.

REP. QUINN (82ND): Okay. All right. Thank you very much, Commissioner. And again, congratulations on your renomination.

CHRISTY SCOT: Thank you.

REP. GRESKO (121ST): Thank you Representative Quinn. Next with the questions is a Senator Formica, sir, the floor is yours.

SENATOR FORMICA (20TH): Thank you, Mr. Chairman. Good morning. Good morning, everyone. Good morning, Madam commissioner. How are you today?

CHRISTY SCOTT: I'm fine thank you. How are you?

SENATOR FORMICA (20TH): I'm sorry that I missed the first portion of your testimony that indicated that you've been under the weather a bit. So I hope that you're doing okay-

CHRISTY SCOTT: I am, thank you.

SENATOR FORMICA (20TH): And moving forward. Questions on the amount of claims that we have. And I think I just heard you say there's 767 claims still pending and 276 that are at the legislature. So that's over a thousand claims with the oldest being 2015.

CHRISTY SCOTT: I think that that was somewhat of a guest on my part.

SENATOR FORMICA (20TH): Yeah.

CHRISTY SCOTT: I can get more accurate information later.

SENATOR FORMICA (20TH): I may be familiar with the claim that goes back that far. My question is in terms of the process the pending ones, you talked about the need for you know, more staff to help, you know, manage. Probably some of those are probably relative relation to that, but the ones that have been released at the legislature 276, could you tell me how they're released to the legislature? Did

someone say to you commissioner, well, you need to release these claims, send them to the legislature, or is that a decision that you make? And if so, where do you send them and how are they dealt with?

CHRISTY SCOTT: So those 276 claims are claims that are sent to the legislature because they've been pending in our office for longer than two years. And we are required to report those claims to the legislature each year. Any claim has been pending for longer than two years, we're required to report to legislature each year, unless we've received an extension of time from the parties from the claimants and frequently the parties get frustrated because they wanted to extend the time, but they didn't get inform us in time and we've already sent it.

But that being said, that's why they get reported, the legislature once they're reported can extend the time and send it back to us, which is usually what happens, or they can hear the, you know, decide the claims yourselves. You can make an award, deny the claim or grant permission to Sue. Typically the legislature doesn't do anything with the claim other than send it back. So we usually get them back, again, and go on about our business deciding them.

SENATOR FORMICA (20TH): Thank you very much. It seems a complicated process that you have a clock that's ringing and when it hits two years, you send it to the legislature. Do you send it to a particular Committee? Do you send it to a particular member of the legislature? Do you send it to a particular officer or agency?

CHRISTY SCOTT: It's where the statute requires us to report it to the General Assembly generally. So we report it to the two clerk's offices, the house clerk and the Senate clerk, typically the leaders of the two chambers refer it to the judiciary Committee. And that's the, you typically the

Committee that decides what to do with it. And then they report the claims out to the floor and as a resolution, and then the two chambers carry those resolutions.

SENATOR FORMICA (20TH): So the judiciary must have some form of procedure then the Judiciary Committee to these things, because they're coming in at a regular semi-regular basis, right? Every, every month-

CHRISTY SCOTT: Every year.

SENATOR FORMICA (20TH): Probably is a new two-year thing. Does it happen once a year or-

CHRISTY SCOTT: No, it's just once a year, we reported out at the beginning of each session.

SENATOR FORMICA (20TH): And then-

CHRISTY SCOTT: Yeah.

SENATOR FORMICA (20TH): Do they, when judiciary, do they discuss this in the form of like, they would have a regular Bill that comes before judiciary-

CHRISTY SCOTT: Yes.

SENATOR FORMICA (20TH): Brought up to the Committee and screened?

CHRISTY SCOTT: Yeah. They have a hearing. They usually have a claims day where they have a hearing and they hear all the claims, anyone who wants to come and speak on any particular claim can do so.

SENATOR FORMICA (20TH): Okay. And then it's after that, they're deciding whether to send back or not after the hearing or is that, so everyone that gets referred to judiciary has a hearing at some point, and then whether-

CHRISTY SCOTT: Yeah.

SENATOR FORMICA (20TH): They stay there to be adjudicated or sent back to you and then does the clock start for another two years?

CHRISTY SCOTT: It depends on what the resolution says that since they send it back to us, it usually gives us a deadline of a year, but it sometimes has been different than that.

SENATOR FORMICA (20TH): And the public can come and testify when it goes before a judiciary and all of that. Okay. And is this the high point 767 pending?

CHRISTY SCOTT: Within my knowledge, I can't go, I haven't tried to pull annual reports back farther than 2016, but to my knowledge, within, from 2016 to now, this is the high note, the high point that I know of.

SENATOR FORMICA (20TH): And thank you for that answer. And so if and I don't remember whether you said you asked the Budget Committee to give you that other staff member or whether you do, you just kind of brought it up today for the first time, but if you get the other staff member how long to move through the 767, or you do ever want to get, not that you want to, but does it ever get to zero or 10 or under a hundred or, I mean, is there always, just so I understand what process I'm looking at.

CHRISTY SCOTT: I can't imagine we'd ever get down to 10. I mean, there's always a bunch of cases that the parties are asking us to stay for some reason, or to get, you know, we're still in-- we're still working on it or having discussions, settlement discussions, or whatever. There's always a bunch of cases that aren't moving for reasons that don't have anything to do with us. So I think we're always going to have, you know, have a docket, but it would

be great to have, you know, a body of cases that represents every, we are fully up to date on every case. You know what I mean? That a minute a case worker walks in the door, we're ready to work on it. You know, that would be ideal. And I think I, yeah, go ahead.

SENATOR FORMICA (20TH): I'm sorry to interrupt you. I was just going to say that the one new staff member that you may get, would that get us to that point? How long would it take to get to that point with the staff member? All things-

CHRISTY SCOFF: No, it depends. I can't say for certain, because I don't know how good the staff person would be until they're there and I train them up and we see how they do, but I will tell you this Senator, you don't know me, we did not work together. But one of the reasons I think that Governor Malloy originally appointed me was that there was an expectation that I would go in there and be a workhorse because that was my reputation at the legislature before I was appointed and I am a workhorse and I was a workhorse before my health condition, but now I'm back to myself.

And my plan had always been to go in there and do what I needed to do to get that office back to the too good operating form. And so I can't tell you how long it will take me, but I know that part of the reason I want the second term is so that I can go do what I originally planned to do, which is to get that office into order. And I don't know, I can't tell you how long it will take, but I know that I'm determined to do it.

SENATOR FORMICA (20TH): And I'm sorry, I should know. Is that a six year term or a four year term or?

CHRISTY SCOTT: It's four.

SENATOR FORMICA (20TH): Four year term. Thank you. I think that gives me something to think about and to kind of make my decision and then I appreciate your good work. I do hope you're feeling much better and I thank the good chairman for his time this morning.

CHRISTY SCOTT: Thank you.

REP. GRESKO (121ST): Thank you, Senator. Anyone else? Any of the members have questions for Commissioner Scott? Please raise your hand in the meeting, going once? Okay. It looks like we are done with the questions and remarks. Christy, I'd like to congratulate you on your reappointment to the Claims Commissioner position. But before you go, we ask one question of every nominee. Is there anything in your past that you believe might prove embarrassing to this Committee, to the Governor or to the state of Connecticut?

CHRISTY SCOTT: There are lots of things that prove embarrassing to me personally, but not that I think would embarrass the state or the Governor or any of you, hopefully. So, no, my answer is no.

REP. GRESKO (121ST): Thank you for being very clear on that. Seeing that that the answer is no. That officially concludes our public hearing of February 25th. We will wait a moment so that Wendy can switch gears here and get us into our meeting mode. And once we get the thumbs up from Wendy, we will move on to our meeting. Hey, Wendy you're getting good at this. This was like the whole, no downtime at all. Okay. Guys officially, you know, bang, bang, I call the February 25th 2021, meeting of the Executive and Legislative Nominations Committee to order it is 11:06. Any remarks from my Senate co-chair before we move on adhering to the agenda here. Seeing none, we can always come back to that if necessary. We'll move on to item number three, which is a resolutions for review. And I will make the motion to approve

the House joint resolution reconfirming, Christy Scott, to serve as Claims Commissioner for a term ending June 30th, 2025. And I would entertain second.

REP. GODFREY (110TH): Back in.

REP. GRESKO (121ST): Seconded by Representative Godfrey, any discussion? Seeing no discussion, will the clerk please call me the roll?

WENDY FRITZ: Senator Duff?

SENATOR DUFF (25TH): Senator Duff, votes, yes.

WENDY FRITZ: I didn't get you on camera. So can you please say it again?

SENATOR DUFF (25TH): I'm here. I'm on camera?

WENDY FRITZ: Now, I see you.

SENATOR DUFF (25TH): Okay. Senator Duff, votes, yes.

WENDY FRITZ: Representative Gresko.

REP. GRESKO (121ST): Representative Gresko, votes, yes.

WENDY FRITZ: Everyone's talking a little too quickly today. Would you say that again, sir?

REP. GRESKO (121ST): My apologies, Representative Gresko, votes, yes.

WENDY FRITZ: Thank you. Senator Looney?

SENATOR LOONEY (11TH): Senator Looney, votes, yes.

WENDY FRITZ: Representative Quinn?

REP. QUINN (82ND): Representative Quinn, votes, yes.

WENDY FRITZ: Thank you. Senator Kelly?
Representative Kennedy?

REP. KENNEDY (119TH): Representative Kennedy, votes, yes.

WENDY FRITZ: Representative D'Agostino? Senator Fonfara? Senator Formica?

SENATOR FORMICA (20TH): Formica votes, no.

WENDY FRITZ: Representative Godfrey?

REP. GODFREY (110TH): Representative Godfrey, votes, yes.

WENDY FRITZ: Senator Hartley? Senator Kushner?

SENATOR KUSHNER (24TH): Senator Kushner, votes, yes.

WENDY FRITZ: Senator Moore?

SENATOR MOORE (22ND): Senator Moore votes, no.

WENDY FRITZ: Representative Perillo?

REP. PERILLO (113TH): Perillo, vote, yes.

WENDY FRITZ: Representative Yaccarino?
Representative Vargas?

REP. VARGAS (6TH): Representative Vargas, votes, yes.

WENDY FRITZ: Senator Somers? Senator Somers?

SENATOR SOMERS (18TH): Sorry. My computer froze.
I'm a yes.

WENDY FRITZ: Okay. I don't see you on camera. If you're having trouble. I can take it off. Okay.

SENATOR SOMERS (18TH): Can you see me now?

WENDY FRITZ: Yes.

SENATOR SOMERS (18TH): Senator Somers, votes, yes.

WENDY FRITZ: Thank you. That's the role, sir.

REP. GRESKO (121ST): Thank you, Wendy. As a reminder, we will keep the votes open for this until 2 o'clock this afternoon. And our next meeting is scheduled for a week from today, March 4th, where we will consider some Connecticut lottery nominations. So lastly, I will entertain a motion to adjourn the meeting?

SENATOR DUFF (25TH): Recess, the meeting.

REP. GRESKO (121ST): Yeah, rewind. I will recess the meeting until 2 o'clock. Yeah, right out of my head two seconds ago. I said that again, recessing the meeting until 2 o'clock. And thank you everyone for your participation and look forward to seeing you next Thursday, 4th.

WENDY FRITZ: Thank you, Mr. Chairman.

SENATOR LOONEY (11TH): Thank you.

REP. GRESKO (121ST): All right.

WENDY FRITZ: I'll be here till two.

REP. GRESKO (121ST): That's on Monday to make some texts and we'll see what do we need? We need D'Agostino he's in General Law Public Hearing, but I'll text him and then, who else?

WENDY FRITZ: That was me talking to myself. Senator Kelly. D'Agostino, Hartley, Yaccarino.

REP. GRESKO (121ST): Okay. Got it. Thank you.

WENDY FRITZ: Alrighty.

REP. YACCARINO (87TH): Wendy?

WENDY FRITZ: I'm here.

REP. YACCARINO (87TH): I was on, but I had to get off-

WENDY FRITZ: Okay.

REP. YACCARINO (87TH): Just one vote.

WENDY FRITZ: Just one vote for Christy Scott.

REP. YACCARINO (87TH): Definitely, yes, for Christy. Thank you so much.

WENDY FRITZ: Thank you. Take care. Would you like to vote sir?

SENATOR KELLY (21ST): Yes.

WENDY FRITZ: Christy Scott for Claims Commissioner?

SENATOR KELLY (21ST): Yes. Senator Kelly, votes, yes.

WENDY FRITZ: Thank you so much.

SENATOR KELLY (21ST): You back, thank you.

WENDY FRITZ: Have a great day.

SENATOR KELLY (21ST): You too, bye-bye.

WENDY FRITZ: Bye-bye. Just looking down for a second.

SENATOR HARTLEY (15TH): No, I'm sorry. My apologies. I missed everything. I'm sorry. Did I-

WENDY FRITZ: That's Okay.

SENATOR HARTLEY (15TH): So yeah. Who did we hear today Wendy?

WENDY FRITZ: Christy Scott for Claims Commissioner. And that's it.

SENATOR HARTLEY (15TH): Oh, only one. Okay. Yeah, now I know. Apologies, I had done Transportation on appropes. Anyhow and we voted?

WENDY FRITZ: Yes.

SENATOR HARTLEY (15TH): Okay. Is this a joint or what?

WENDY FRITZ: It's joint. Yes.

SENATOR HARTLEY (15TH): Okay. All right. So I'm, what we'd like to be recorded in the affirmative Madam clerk.

WENDY FRITZ: Got it.

SENATOR HARTLEY (15TH): Thank you. Be well.

WENDY FRITZ: You too.

SENATOR HARTLEY (15TH): Have a good one. Bye, Wendy.

WENDY FRITZ: See you.

REP. D'AGOSTINO (91ST): Can you hear me?

WENDY FRITZ: I can.

REP. D'AGOSTINO (91ST): All right, there we go.

WENDY FRITZ: So you're connecting. We have just one vote, Christy Scott, for Claims Commissioner.

REP. D'AGOSTINO (91ST): D'Agostino, votes, yes.

WENDY FRITZ: Thank you. That's it.

REP. D'AGOSTINO (91ST): Are you going to leave this open for a little bit?

WENDY FRITZ: I have to. I have to leave it open until 2 o'clock because that's what they said. So-

REP. D'AGOSTINO (91ST): You can see me join in. I'm just testing the zoom thing. Just ignore me.

WENDY FRITZ: Oh, okay.

REP. D'AGOSTINO (91ST): Okay.

WENDY FRITZ: Yeah. Since they said 2:00, it has to stay on.

REP. D'AGOSTINO (91ST): Got it thank you. No worries if you see me jump in and out.

WENDY FRITZ: No worries.

REP. D'AGOSTINO (91ST): Thanks.

WENDY FRITZ: Yep. Do you still want me to send you to both emails? let's test, you're on mute?

REP. D'AGOSTINO (91ST): Yeah. Sorry. What did you ask me?

WENDY FRITZ: Do you want me to still send to both emails?

42
da/rr

February 25, 2021
EXECUTIVE AND LEGISLATIVE 10:00 A.M.
NOMINATIONS COMMITTEE

REP. D'AGOSTINO (91ST): Just the state one is fine.

WENDY FRITZ: Okay.

[RECESS]