

Minutes
Public Service and Trust Commission
Pro Bono Committee
March 19, 2014

The Pro Bono Committee met on Wednesday, March 19, 2014 at 2:30pm at 231 Capitol Avenue, Hartford in the Attorney Conference Room.

Those in attendance: Honorable William J. Bright, Jr., Chair, Attorney Jonathan Shapiro, Attorney Lester Arnold, Attorney Timothy Johnston, Attorney Susan Nofi, Attorney Jamey Bell, Attorney Mark Dubois, Attorney Jan Chiaretto, Attorney Jonathan Shapiro, Attorney Sylvia Rutkowska, Attorney Sarah Sia, Professor Timothy Everett, Attorney Norman Janes, Attorney Susan Dornfeld, Honorable Timothy Keeney, Attorney Mark Nordstrom, Attorney Edward Heath and Attorney Steven Eppler-Epstein.

The meeting was called to order at 2:34 pm.

1. The Committee voted to approve the minutes of the October 22, 2013 Pro Bono Committee meeting. Attorney Janes abstained. The Committee voted unanimously to approve the minutes of the November 15, 2013 Pro Bono Committee meeting.
2. Attorney Nofi provided an update to the Committee on the pro bono video. The footage shot by the pro bono videographer has been recovered and turned over to Kate Frank at New Haven Legal Assistance and the remainder of the video will be completed in house by New Haven Legal Assistance. Judge Bright will record additional segments of on and off-screen narration and the video should be ready for the May 14th Pro Bono Summit.
3. Next, the chairs of each of the Workgroups provided a brief progress report on their activities since the last meeting. Attorney Janes reported that the Recognition Workgroup has been working with Probate Court Administrator Paul Knierim to develop a system whereby pro bono attorneys receive priority for paid Probate Court appointments. He reported that one of the challenges in accomplishing this is keeping track of which attorneys have done pro bono work for the year. Attorneys Eppler-Epstein, Nofi and Bell volunteered to work on compiling a pro bono list for this purpose.

In addition, Judge Bright reported that he spoke with the other Administrative Judges and each AJ has recommended one attorney to receive the Connecticut Law Tribune's pro bono award. Judge Bright added that it is difficult to implement a consistent recognition endeavor across all Judicial Districts and among 180 independent constitutional officers.

Judge Bright also reported that voluntary pro bono reporting as part of the annual electronic registration for attorneys has remained fairly consistent for each of the years the questionnaire has been in place. A request was made to have staff email the pro bono reporting survey results to the Committee.

Attorney Dubois reported that the Rules Workgroup submitted four (4) different proposed rule changes to the Rules Committee including revisions to 2-15A permitting retired in-house counsel to perform pro bono work. Concern was expressed by some about the “watering down” of this rule should this provision be adopted. Also, revisions to the Commentary to 6.5 RPC were proposed to allow chat room attorney-client relationships to be covered by the rule. Judge Bright provided an overview of Tennessee’s on-line pro bono program where screened, income-qualified self-represented parties can submit legal questions by email to pro bono attorneys and receive an email response at no cost. This program is administered by the Tennessee Alliance for Legal Services (TALS) and operates under Tennessee’s limited scope rules. Additional proposed rule changes include adopting the Colorado or Virginia rules which permit out of state attorneys to do pro bono work in Connecticut.

The Committee inquired about the numbers of limited appearances that have been filed under Connecticut’s new limited appearance pilot program for family and family support magistrate matters which became effective on January 6, 2014. It was reported that approximately 100 Limited Appearances had been filed and about 36 Certificates of Completion. Attorney Heath reported that the Robinson & Cole attorneys are filing limited appearances in connection with the TRO pro bono programs in Hartford and Middletown. He added that the practice of Limited Scope Representation is a terrific way to encourage attorneys to do more pro bono work as they’re not wedded to the life of the litigation under the new limited appearance rules.

Attorney Nofi reported that the Law Schools Workgroup met via conference call in January and talked about what the measurement should be for baseline pro bono for law schools. It’s difficult to have all of the Connecticut law schools establish the same criteria/threshold for pro bono as not all law schools count clinic work as pro bono.

The Workgroup also talked about adding a question to the Connecticut Bar Exam about pro bono and pro bono service. Massachusetts is proposing adding an access to justice question on their bar exam. Professor Everett reported that New York puts extrinsic pressure on law students to do pro bono work because it helps students to understand the importance of pro bono service. Judge Bright reported that while pro bono service is a very high priority for Connecticut, Chief Justice Rogers is philosophically opposed to imposing a pro bono requirement on law students. A suggestion was made to create a special recognition ceremony at the annual swearing in ceremony for new attorneys where the Chief Justice recognizes law students who contributed pro bono hours.

Attorney Shapiro reported on the Follow-Up Summit Workgroup. The Summit is on May 14, 2014 and, to date, 55 invitees had affirmatively responded. Attorney Shapiro reported that the Summit would be held at the Legislative Office Building in Hartford with opening remarks by Judge Bright and Justice Rogers. The Summit would consist of two panel discussions; one comprised of general counsel and general practice attorneys and the other a mix of judges from the Appellate Court, Superior Court and Probate Court. For each of their respective panels, the panelists will participate in a facilitated discussion regarding how to successfully implement sustainable pro bono programs and the importance of recognizing pro bono service.

In addition, representatives from the Legal Service community will discuss the impact of pro bono services on the legal aid community and will conclude their segment by showing the pro bono video. Summit participants will then engage in facilitated break-out sessions and the Summit will conclude with closing remarks from either Senator Coleman or Representative Fox. All Summit attendees will be emailed an evaluation so feedback regarding the efficacy of the Summit can be collected and analyzed for future endeavors. The Follow-Up Workgroup decided that all Summit materials such as the Pro Bono Catalog and pro bono policies from General Electric and Robinson & Cole would be electronically sent to the attendees prior to the Summit to save on printing and paper costs.

4. The Committee discussed issues surrounding law students and pro bono work. The Taskforce on law schools recommended that the curriculum for law schools focus more on experiential learning and provide more credits towards practical learning and pro bono work. The Committee noted that this shift as well as the new proposed rule which would allow full-time faculty members or clinical fellows to be admitted to the Connecticut bar without taking the state bar examination if they are admitted to the bar in either a reciprocal or a *nonreciprocal* jurisdiction. If adopted, this rule would help law students who wanted to do pro bono work but needed to be supervised by an admitted Connecticut attorney.
5. The Committee also discussed opportunities for paralegals to engage in pro bono work. Attorney Eppler-Epstein and Ms. Magnan have met with the paralegal association to learn more about their interests and discuss available pro bono opportunities for paralegals. The Committee discussed several available options for engaging paralegals in existing pro bono programs and Attorney Heath offered that Robinson & Cole currently utilizes paralegals for their civil rights cases. The Committee also discussed the idea of conducting a mini paralegal summit to actively engage the paralegal community in pro bono service.
6. Judge Bright led the Committee in a discussion regarding the Judicial Branch's Access to Justice Commission's interest in Tennessee's on-line pro bono program. A representative of the Connecticut Judicial Branch will be traveling to

Tennessee to meet with legal services and court staff to learn more about this pro bono opportunity and the feasibility of replicating it in Connecticut.

Attorney Janes provided the Committee with an update on the emeritus Small Claims Volunteer Attorney Program in Middletown and Hartford. Attorney Janes reported that the programs were going well and the group hoped to further expand to the New Haven and Fairfield Judicial Districts.

Judge Bright reported that Pro Bono Committee member Attorney Sarah Sia has been working with Attorney Jonathan Weiner from the Supreme Court to review and propose changes to the Judicial Branch's Administrative Policy regarding licensed Judicial Branch attorneys doing pro bono work. Attorney Ed Heath suggested the formation of a subcommittee to look into the ability of attorneys at the Attorney General's Office to do pro bono. Attorney Heath and others offered to reach out to the AG's office to begin a dialogue on this issue.

7. The next meeting of the Pro Bono Committee will be held on Thursday, June 5, 2014 at 2:30p.m. at 231 Capitol Avenue, Hartford in the Attorney Conference Room.
8. The meeting was adjourned at 3:52 p.m.