

**Minutes**  
**Public Service and Trust Commission**  
**Pro Bono Committee**  
**October 2, 2014**

The Pro Bono Committee met on Thursday, October 2, 2014 at 3:30pm at 231 Capitol Avenue, Hartford in the Attorney Conference Room.

Those in attendance: Honorable William J. Bright, Jr., Chair, Honorable Ingrid Moll, Attorney Jonathan Shapiro, Attorney Timothy Johnston, Attorney Susan Nofi, Attorney Jan Chiarretto, Attorney Sarah Sia, Professor Timothy Everett, Attorney Norman Janes, Attorney Alfred Casella, Attorney Sharon Dornfeld, Honorable Timothy Keeney, Attorney Dwight Merriam, and Attorney Steven Eppler-Epstein.

Attorney Joseph Del Ciampo, Judicial Branch Legal Services, Ms. Emily Turnbull, Judicial Branch Staff Development Unit and Mr. Dan Irace, Executive Director's Office were also in attendance.

The meeting was called to order at 3:35 pm.

1. The Committee voted unanimously to approve the minutes of the June 5, 2014 Pro Bono Committee meeting.
2. Judge Bright introduced new Pro Bono Committee member Judge Ingrid Moll and asked each Committee member to introduce themselves.
3. Judge Bright provided a brief re-cap of the Committee's work prior to the summer recess and discussed the two new workgroups that were formed. The Recognition workgroup will examine other states and programs for both informal and formal recognition of pro bono attorneys. Specifically, this workgroup will undertake a study of the "40 at 50" model of pro bono that has worked successfully in Washington D.C. This model recognizes those firms where at least 40% of the attorneys perform 50 or more pro bono hours during the prior year. Attorney Merriam has agreed to chair this workgroup. The remaining members are Attorney Rutkowska, Attorney Heath and Attorney Janes.

The Follow-Up Summit workgroup, chaired by Attorney Shapiro, will continue to identify sustainable pro bono projects that were highlighted during the Pro Bono Summit breakout sessions in May. This workgroup will conduct a more targeted follow-up in an effort to match potential projects with firms and/or corporations. The remaining workgroup members are Attorney Bell, Attorney Eppler-Epstein, Attorney Johnston, Attorney Nordstrom and Attorney Arnold.

4. Judge Bright provided the Committee with an update of the outreach and follow-up that has been done since the Pro Bono Summit.

The Connecticut Hispanic Bar Association (CHBA) has expressed interest in the Judicial Branch's Volunteer Attorney Programs in family and foreclosure. Judicial Branch staff provided an overview of the program for discussion and consideration by the CHBA. The CHBA board met last at the end of August to discuss the pro bono opportunity. The board was receptive and they are looking into a malpractice policy as insurance is not provided through the Branch's program. Per Virginia McGarity, the CHBA is also in discussions with the CBA as there is a possibility that they can become a named insured party for their insurance.

The firm of Berchem, Moses & Devlin, P.C. has expressed interest in learning more about the available pro bono opportunities and what's available for individual attorneys as well as a firm-wide signature project. Court Operations staff will continue to follow-up.

Additionally, New Haven County Bar Association (NHCBA) and Yale New Haven Health System (YNHHS) expressed interest in the concept of recognition, as the NHCBA pro bono committee discusses this concept a lot at their own pro bono meetings.

There was also some interest in re-visiting conversation between NHCBA and the Branch regarding the Family Volunteer Attorney Program in New Haven, however, even under new leadership, support by the NCBA for this program is lacking. YNHHS continues to talk to folks at Yale's General Counsel Office about developing a signature project that would cover both the health system and the university's in-house legal departments. There are about 30 attorneys between them and while nothing has been concretely established, the discussion is ongoing.

Also, Western New England School of Law (WNEC) just recently adopted a 20 hour pro bono graduation requirement and they're interested in partnering in any pro bono projects that are being undertaken. The law school has been trying to develop pro bono opportunities in and around Springfield, but given where many of the students come from, it would be great to take advantage of similar opportunities in the Hartford area. The law school was also interested in the CBA's incubator program and someone will reach out to Bill Clendenen to get more information.

The firm of Carmody, Torrance, Sandak & Hennessey is interested in replicating Robinson & Cole TRO program in the Waterbury Judicial District. A conference call was held on September 9<sup>th</sup> with representatives from the firm, Family Presiding Judge Maureen Murphy, Steve Eppler-Epstein

and Ed Heath to talk about logistics such as training, support and program structure.

Lastly, the chair of the CBA YLS has been working with the Appellate Advocacy Section subcommittee on appellate self-representation education project. The YLS and the Appellate Advocacy Section are very interested in implementing a program similar to the volunteer attorney program in the areas of family and foreclosure law in order to facilitate greater access to justice in the appellate courts. Through such a program, appellate attorneys would assist self-represented parties with discrete issues related to the appellate process. The YLS is highly committed to devoting their resources to increasing pro bono representation in the area of appellate law and would welcome the opportunity to discuss these ideas with Judge Bright and the Pro Bono Committee.

Judge Bright asked the Committee to think about any additional rule changes that might be necessary such as whether a rule similar to the one that was passed for retired attorneys permitting them to engage in pro bono activities under the supervision of an admitted Connecticut attorney should be considered for retired, in-house attorneys. Judge Bright asked the Committee for the next meeting to think about this and other potential rule changes that might be helpful or required to eliminate or lessen any barriers to pro bono.

Since the Pro Bono Summit was in May of this year, Judge Bright did not think that another, large-scale pro bono event would be beneficial or even necessary at this time. There was, however, interest on behalf of the Committee in conducting smaller meetings with the local bar groups. These meetings would showcase the pro bono video created by legal aid and depending on individual schedules and availability, could also include Judge Bright, Judge Solomon, Judge Kahn or Judge Moll. Staff will provide Attorney Eppler-Epstein with a current list of bar association chairs and affinity groups to facilitate the scheduling of these meetings.

Next, Judge Bright provided the Committee with a brief overview of the Online Tennessee Justice Program (OTJ) being considered for adoption and implementation in Connecticut. This model of online pro bono where income qualified self-represented parties submit legal questions seeking advice electronically to volunteer attorneys who are anonymous to the self-represented person, has been very successful for near-poor Tennesseans.

Judge Bright further explained that in addition to seeking bar support for this program and recruiting an appropriate number of volunteer attorneys, the other hurdle to implementing the program is the need to identify the entity (e.g. CBA, legal aid) that will host and administer the online pro bono program. The hope is for the day to day administration of the program to be through the CBA so the income qualification threshold can be set at 250% of the poverty level, rather than 125% if the program is administered through legal aid.

The Committee discussed the online model of pro bono and whether the program might take business away from attorneys. The Committee requested to see some sample questions and answers from the Tennessee online program to get an idea of what types of legal issues were being submitted to the volunteer attorneys for response. In addition, staff will circulate the report on OTJ to the Pro Bono Committee to help answer any other specific questions they may have about the program.

The Committee then discussed the current modest means initiatives being undertaken by the CBA and the Branch's Access to Justice Commission and some of the roadblocks that this initiative has encountered, namely the concern that modest means panels will redirect referrals away from established lawyer referral programs across the state.

Committee members Susan Garcia Nofi and Steve Eppler-Epstein gave a brief demonstration of the new online classes that are available for pro bono attorneys on CTLawHelp.Org. The available classes include Consumer Law Training, Eviction Training, Call4Law Resources, Employment Training, Security Deposits Training, Tenants' Rights Training and Uncontested Divorce. While the online training classes are not password protected, the attorney needs to have the URL address in order to locate the classes so not just anyone can view the tutorials. There are plans to add more online classes to the website to continue to make it more convenient for attorneys who want to do pro bono work but need more substantive training.

The next meeting of the Pro Bono Committee will be held on Thursday, December 4, 2014 at 3:30p.m. at 231 Capitol Avenue, Hartford.

The meeting was adjourned at 4:34p.m.