

**Minutes**  
**Public Service and Trust Commission**  
**Pro Bono Committee**  
**October 25, 2012**

The Pro Bono Committee met on Thursday, October 25, 2012 at 3:00pm at 231 Capitol Avenue, Hartford in the Attorney Conference Room.

Those in attendance: Judge William Bright (chair), Attorney Steve Eppler-Epstein, Attorney Norman Janes, Attorney Jan Chiarretto, Attorney Edward Heath, Attorney Catherine Mohan, Attorney Mark Nordstrom, Attorney Mark Dubois, Attorney Branford Brown, Attorney Jill Seaman Plancher, Attorney Timothy Johnston, Hon. Timothy Keeney, Attorney Susan Nofi-Bendici, Attorney LJ Arnold and Attorney Sharon Dornfeld.

Guests included Attorney Jonathan Shapiro, Chair of the YLS of the CBA and Attorney Sylvia Rutkowska, a member of the YLS Executive Committee and YLS member Attorney Emily GranerSexton.

Attorney Joseph Del Ciampo from Judicial Branch Legal Services was also in attendance in lieu of Dan Horwitch.

The meeting was called to order at 3:05 pm.

Judge Bright welcomed the new members of the Committee and asked everyone to introduce themselves and state their respective areas of practice.

1. The Committee voted to approve the minutes of the September 20, 2012 Pro Bono Committee meeting. The following members abstained: Judge Bright, Attorney Mohan, and Attorney Heath.
2. Judge Bright and Attorney Rutkowska provided the Committee with an update on the upcoming Pro Bono Initiative on November 14<sup>th</sup> at Yale University School of Law. The event is a collaborative effort between the CBA, CBF and the Judicial Branch and will be centered around the documentary film *Crime After Crime*. A victim of domestic violence, the film tells the story of Debbie Peagler who was incarcerated for over 26 years for her involvement in the murder of her abusive husband. The film is particularly relevant to the work of the Pro Bono Committee because Ms. Peagler's habeas case was handled pro bono by two young land-use lawyers, underscoring not only the critical need for pro bono work, but also demonstrating that lawyers can make a difference even in an area of practice that may be unfamiliar to them.

Attorney Rutkowska reported that approximately 80 participants have registered for the initiative so far and with the screening room for the film at Yale holding a

maximum of 125 people, it is expected that not all invitees will be able to attend the screening portion of the event.

In addition, Attorney GranerSexton reported that the November 14<sup>th</sup> event is also serving as the kick-off to the YLS pro bono campaign to raise \$1 million dollars worth of pro bono services in March, April and May of 2013. The goal is to have firms and individual lawyers commit to performing a certain number of pro bono hours and provide those participating attorneys with rewards and acknowledgements to serve as further motivation for others.

3. Attorney Eppler-Epstein provided the Committee with an update on the pro bono video. As initially contemplated, Legal Services in cooperation with the Pro Bono Committee would partner with Northeast Legal Video (at no cost) to create pro bono marketing video for Connecticut modeled after the Florida “One” pro bono marketing campaign. After speaking with the consultant in Florida who developed the “One” brand, Connecticut would only be permitted to use the campaign if we worked with the Florida consultant and relinquished creative control to the consultant. Pursuing the Florida “One” campaign would mean excluding Northeast Legal Video to whom a commitment had already been made.

In light of these developments, the decision has been made to proceed with Northeast Legal Video and keep the Florida option as something for future consideration. Attorney Eppler-Epstein reported that Connecticut may have a finalized video by the end of this year.

4. Judge Bright reported to the Pro Bono Committee on the post-summit outreach that he and Justice Rogers have done with the large Connecticut firms. Cummings & Lockwood has developed a signature project in the Probate Courts, Bingham McCutchen have expressed interest in the Judicial Branch’s Volunteer Attorney Program in foreclosures, and Traveler’s has expressed interest in taking on some pro bono projects. Judge Bright also reported that he and Justice Rogers met with UTC last month to discuss pro bono and Aetna, Pfizer and GE are all actively involved in pro bono initiatives.

Attorney Eppler-Epstein reported on the Norwalk medical/legal pro bono initiative with Robinson & Cole and GE. This initiative partners with the Community Health Center in Norwalk and training was conducted for participating staff on what types of cases to refer to the program and how best to establish a streamlined referral system. Attorney Eppler-Epstein reported that the goal of the program is to have the legal intervention create a positive health impact on these clients and their cases. The cases are being taken by a mix of pro bono and legal aid staff and there’s a wide variety of cases such as SSI, domestic violence, housing, cases involving children and employment cases.

Lastly, Attorney Eppler-Epstein reported that the Intellectual Property firm of Edwards Wildman in Stamford has expressed interest in taking on pro bono

eviction defense cases but needed training in this area this area of the law. In response to their request, Legal Aid established training in eviction law for the attorneys and has committed to co-counsel the first few cases with the Edwards Wildman attorneys until they're comfortable enough to handle the cases on their own. From Legal Aid's perspective, the goal in this and all pro bono initiatives is to adequately train the pro bono attorneys and get them started on their projects so the initiatives subsequently become self-sustaining.

Attorney Nofi-Bendici reported to the Pro Bono Committee about the deferred action clinics; an initiative started under President Obama which helps to protect certain undocumented people from deportation. Children who came to the United States before the age of 16 and have been here for at least 5 years are eligible to participate in the program. There are approximately 9,000 potentially eligible people in Connecticut and to date, about 1,000 have been screened. CT Legal Services has asked their attorneys to volunteer and be trained on these immigration cases because depending on the outcome of the Presidential election, the applications to participate in the program may drastically increase.

5. Attorney Norman Janes reported to the Committee on the pro bono initiatives for retired attorneys, specifically, the "lawyer for the day" program in Small Claims. The program will assist court patrons with their small claims actions and provide them with legal and procedural assistance. Attorney Janes hopes to work with the CBA on the issue of malpractice insurance as these retired attorneys may not carry malpractice insurance. The CBA has an umbrella malpractice policy that is broad enough to cover any CBA sponsored initiative and the hope is that the retired attorneys who participate in the Small Claims Emeritus project would be covered. Additionally, Judge Bright indicated that the Rules Committee hopes to modify the current rules to allow an attorney who is retired to still provide pro bono services.
6. Judge Bright reported on the status of pro bono and law students, specifically, the Small Claims clinic sponsored by UCONN law school. Judge Bright commented that the Small Claims projects are a terrific mentoring opportunity for the retired attorneys and an equally interesting and rewarding endeavor for the law students to work with and learn from experienced attorneys.
7. Judge Bright discussed the increasing numbers of self-represented parties in our courts and cited this, among other issues, as a contributing factor to the formation of the Pro Bono Committee. Judge Bright reported that the CBA House of Delegates recently voted to pass the Judicial Branch's proposal for Limited Scope Representation (LSR) and believes that if LSR is adopted in Connecticut, it will increase the number of attorneys who are willing to take pro bono cases. Judge Bright also observed that the practice of LSR happens regularly in criminal cases for bond only and even more so in transactional law.

8. The Committee discussed the Judicial Branch's sustained pro bono initiative and the need for Justice Rogers to maintain her already steadfast commitment to pro bono in Connecticut. The Committee also discussed the need for incentives and rewards for attorneys who do pro bono work. Too often, it's the same attorneys taking pro bono cases over and over and the Judiciary needs to be sure to recognize these contributions in a meaningful way. Judge Bright indicated that he would speak with the Administrative Judges and would establish a small working group to identify the issues surrounding recognizing pro bono efforts. Judge Bright will also reach out to the Chief Administrative Judges for Civil and Family and will meet with a small group of practitioners in these areas to see what can be done.

Probate Court Judge Timothy Keeney indicated that he would create a list of pro bono opportunities in Probate Courts and would submit them to the Committee.

9. The next meeting of the Pro Bono Committee will be held on Thursday, December 13, 2012 at 231 Capitol Avenue, Hartford.
10. The meeting was adjourned at 4:15p.m.