

Minutes
Public Service and Trust Commission
Pro Bono Committee
December 13, 2012

The Pro Bono Committee met on Thursday, December 13, 2012 at 3:00pm at 231 Capitol Avenue, Hartford in the Attorney Conference Room.

Those in attendance: Hon. William J. Bright, Jr. (chair), Attorney Steve Eppler-Epstein, Attorney Norman Janes, Attorney Dwight Merriam, Attorney Alfred Casella, Attorney Jan Chiaretto, Attorney Edward Heath, Attorney Mark Dubois, Attorney Branford Brown, Attorney Timothy Johnston, Hon. Timothy Keeney, Attorney Susan Nofi-Bendici and Attorney LJ Arnold.

Attorney Daniel Horwitch from Judicial Branch Legal Services was also in attendance.

The meeting was called to order at 3:04 pm.

1. The Committee voted to approve the minutes of the October 25, 2012 Pro Bono Committee meeting. The following members abstained: Attorney Merriam and Attorney Casella.
2. Attorney Merriam provided the Committee with a brief update on the November 14, 2012 Pro Bono Initiative at Yale University School of Law. Approximately 100 invitees attended the pro bono initiative including Chief Justice Rogers, Judge Bright and other members of the Judicial Branch's Pro Bono Committee, as well as the two pro bono lawyers featured in the award winning documentary film *Crime After Crime*. The event also included the YLS annual Pro Bono Fair which provided an opportunity for attendees to connect with the various legal aid vendors to learn more about the wide array of pro bono opportunities that are available. The Fair was a great success and many of the Legal Aid organizations reportedly recruited several new volunteers.

Judge Bright recognized Attorney Merriam, Attorneys Sylvia Rutkowska and Jonathon Shapiro from the YLS and others for their hard work and invaluable contributions to making the Initiative such an overwhelming success.

In addition, Judge Bright reported that in the months following the Pro Bono Initiative, the Committee would focus its attention on smaller, more regional pro bono summits similar to the event held in New Haven last year. Several Pro Bono Committee members volunteered to contact local bar associations including Attorney Johnston (Tolland), Attorney Chiaretto (Hartford), Attorneys Arnold and Dubois (New London) and Attorney Eppler-Epstein (Waterbury and Fairfield County with Attorney Plancher). Staff will contact Attorney Dornfeld to see if she can connect with the Danbury Bar Association.

3. Attorney Eppler-Epstein reported that progress was being made on the creation of Connecticut's pro bono video, however, it was unlikely that the video would be completed by the end of 2012 as was originally anticipated. Similar to the Florida One pro bono campaign, Connecticut's video will highlight the theme that pro bono work is meaningful for both the attorney and the client. The video will also touch upon issues related to pro bono such as training, support and malpractice insurance. To date, two full days of taping have been completed, however, additional testimonials from clients and legal aid staff are still needed to fill in some of the gaps in the video. Governor Malloy and Justice Rogers are scheduled to record their segments on January 3, 2013. The video is projected to be completed by February or March 2013.

A brief discussion was held regarding the use of social networking websites such as Facebook as an additional vehicle to promote the need for pro bono service and a mechanism to inform others about available pro bono tools and resources.

4. Attorney Janes reported to the Committee on the status of the retired attorney's pro bono project for Small Claims. A meeting was held with Attorney Janes, Diane Whitney, Peter Arakas and Alice Bruno, Executive Director of the CBA to discuss the possibility of extending the CBA's malpractice insurance policy to cover retired attorneys who do not carry individual policies but are still actively engaged in pro bono work. Attorney Janes reported that the CBA's policy could only extend to retired attorneys if they were CBA members. Attorney Janes also reported that the CBA has a retired attorney category for membership purposes and retired attorneys can become CBA members at no cost. A follow up meeting to discuss the Small Claims project in greater detail will be held at Attorney Whitney's office on a date to be determined.

Judge Bright briefly discussed the status of the rule change regarding retired attorneys and indicated that the proposed rule may not be on the agenda until after January when the Limited Scope Representation (LSR) rules have been presented to the Rules Committee. Attorney Eppler-Epstein offered, on behalf of the Legal Services community, to attend the January Rules Committee to speak on behalf of LSR and how beneficial it would be for both pro bono and legal aid.

Judge Bright updated the Pro Bono Committee on the Judicial Branch's proposal for adopting LSR rules and indicated that Judge Munro, Chief Administrative Judge for family matters expressed concern that the proposed rules not create administrative difficulties for judges or Clerk's Office staff. Judge Bright reported to the Committee that LSR rules from other states are being looked at by the Rules Committee and practicing attorneys, court staff and judges from Massachusetts who have experience with LSR will be invited to attend the next meeting of the Rules Committee to talk about their experiences with the practice in Massachusetts.

Judge Bright also reported to the Committee that Judge Munro was very pleased with the TRO program administered by Robinson & Cole in the Middletown Judicial District. The Middletown program is scheduled to sunset in January 2013 and there are plans to expand the program to the Hartford Judicial District.

5. The Committee discussed the pro bono initiatives undertaken by law students, specifically, UCONN Law School's Small Claims clinic. The UCONN clinic is different from what the retired attorneys are proposing as the law school's clinic is held at the law school and the retired attorney "lawyer for the day" program will operate in Small Claims court at 80 Washington Street in Hartford.

The Committee discussed new and inventive ways to involve law students in pro bono work and a suggestion was made to possibly partner law students with new CBF fellows so the law students could shadow a practicing attorney to get a practical look at a day in the life of a busy, practicing attorney.

Judge Bright informed the Committee that both UCONN and Quinnipiac law schools were adding experiential components to their curriculums to attract students with a real-world, practical approach to learning.

The Committee discussed different ways that pro bono lawyers can notify the court that they are representing a client on a pro bono basis. The Committee agreed that discretely informing the courtroom clerk who would then inform the judge was the best, most ethical way to alert the court that an attorney was appearing pro bono.

Judge Bright reported that the voluntary pro bono survey on the attorney registration site will be available again this year for annual registration. The Committee agreed that the questions should remain the same this year, so the results can be compared to past responses in order to accurately measure changes in the data.

6. The next meeting of the Pro Bono Committee will be held on Thursday, February 14, 2013 at 3:00p.m. at 231 Capitol Avenue, Hartford.
7. The meeting was adjourned at 4:05 p.m.