

Minutes
Public Service and Trust Commission
Committee on Self-represented Parties
Subcommittee on Legal Services
December 23, 2008

The Public Service and Trust Commission Committee on Self-represented Parties, Subcommittee on Legal Services met at 20 Franklin Square, New Britain, Connecticut, Courtroom 3G on December 23, 2008.

Those in attendance: Hon. Henry Cohn (Chair), Chief Family Support Magistrate Sandra Sosnoff Baird, Attorney Timothy Fisher, Attorney Janice Chiaretto and Attorney Steven Eppler-Epstein.

1. Judge Cohn called the meeting to order at 3:40 p.m.
2. Subcommittee members began by discussing the history of unbundling legal services, what we know and will it help. Issues mentioned were the possibility of unbundling assisting the population that is over the income limit for Legal Services but are still unable to afford to hire an attorney. There was also discussion of a “Bar Task Force” that met many years ago to address this issue led by Attorney Norman Janes. Several of the subcommittee members agreed to contact Attorney Janes to inquire about a possible report, what happened to the concept and why it never happened. The subcommittee also discussed the benefit of having someone from the family court arena present to participate in further discussions of family law and rules.

Subcommittee members will contact the ABA in the hopes of obtaining more information regarding other states and rules that are being used in the unbundling of legal services. Attorney Chiaretto will contact Attorney Janes to further discuss current unbundling practices in the State of Connecticut. Additionally, Attorney Chiaretto will seek determine the status of the CBA Unbundled Legal Services Study Committee. This subcommittee will review and utilize this information in the preparation of its report.

Subcommittee members engaged in a discussion regarding what other states are currently doing regarding unbundling and which state may have the most advanced model. The subcommittee also discussed potential ethical issues and issues such as “ghost writing.” Subcommittee members also talked about the necessity of retainers and limited appearance forms.

Subcommittee member, Attorney Janice Chiaretto discussed Statewide Legal Service’s development of a website that would be available statewide and would enable self-represented litigants to self diagnose, pre intake, and obtain a Legal

Services Advocate. The site would also have a link to judicial forms allowing the person to “pre-package” and e-file their case. If qualified the self-represented party may meet with a Legal Aid attorney to have their documents reviewed. Statewide Legal Services feels they can reach far more people this way including those that may not be income qualified for their services.

The subcommittee members paid particular attention to the areas for consideration under their charge including consideration of the full range of options available in developing a plan to supplement and stabilize funding sources for the legal services community. The subcommittee discussed the cutting of IOLTA funds and the need for obtaining federal money and the possibility of going back to the legislature for additional funds.

Subcommittee members also discussed the impact the loss of funding would have on the Judicial Branch such as an increased number of self-represented parties looking for assistance at Court Service Centers, the impact at the clerk’s offices and an increased number of cases with self-represented parties.

3. The meeting was adjourned at 4:55 p.m.