

**MINUTES**  
**Connecticut Judicial Branch**  
**Commission on Access to Justice**

**Monday, January 6<sup>th</sup>, 2014**  
**2:30 p.m., Conference Room 4B**  
**225 Spring Street, Wethersfield, CT**

The Connecticut Judicial Branch Access to Justice Commission met on Monday, January 6<sup>th</sup>, at 2:30 p.m. in the fourth floor conference room at 225 Spring Street, Wethersfield, Connecticut.

**Committee members in attendance:** Judge Maria A. Kahn and Judge Elliot N. Solomon (Co-Chairs), Judge William H. Bright Jr., Atty. Thomas Chapman, Atty. William Clendenen, Ms. Heather Collins, Atty. Steven D. Eppler-Epstein, Ms. Krista Hess, Atty. Barbara McGrath, Atty. Susan Nofi-Bendici, Chief Public Defender Atty. Susan Storey, Atty. Herman Woodard, Also present: Atty. Joseph Del Ciampo, Legal Counsel to the Commission.

**Members absent:** Ms. Aisha Banks, Atty. Mark Nordstrom.

**Guests:** Superior Court Operations Div. Executive Director Atty. Joseph D. D'Alesio, External Affairs Div. Executive Director Atty. Melissa Farley, Atty. Patricia Kaplan, Atty. Christopher Nelson, Atty. Charlsa Broadus, Mr. Scott Rosengrant, Atty. Jamey Bell, Ms. Cheryl Halford, Atty. Clarissa Matthews, Atty. Jamey Bell.

- I. Welcome:** Judge Solomon called the meeting to order at 2:35 p.m., and he and Judge Kahn welcomed the members. Judge Solomon introduced the Commission's newest member, Atty. William H. Clendenen, Jr., Vice President of the Connecticut Bar Association.
- II. Review and vote on [Draft Minutes of the March 28, 2013 meeting](#):** The Minutes were reviewed and a motion was made by Judge Solomon to accept as written, seconded by Atty. Eppler-Epstein; motion approved by Judge Kahn, Atty. Chapman, Ms. Collins, Ms. Hess, Atty. McGrath, Atty. Nofi-Bendici. Abstaining: Atty. Woodard, Att. Storey, Atty. Clendenen.
- III. Discussion by Co-Chairs of downsized Commission and Commission's role:** Judge Solomon said that the Commission has downsized to make it more manageable, and to assume more of an oversight role. Over the summer, the Judges reached out to former members to thank them for their service; most, if not all, indicated a willingness to continue serving on project workgroups or subcommittees.
- IV. ATJ Projects:** Discussion of projects and Draft charges: The Commission has identified four potential projects for further assessment and, where warranted, development of concrete plans for implementation, to increase access to justice. The identified projects will be undertaken over the next year by four Workgroups, whose chairs will report back regularly to the full Commission, and who will submit assessments and plans in the fall of 2014. The projects are:

- **Modest Means Workgroup:** Judge Solomon and Kahn welcomed Atty. Patricia Kaplan, retired Executive Director of New Haven Legal Assistance Association, and Atty. Chris Nelson of New Haven, a solo practitioner and Chair of the [Connecticut Bar Association's Young Lawyers Section](#). The attorneys have volunteered to serve as co-chairs of this workgroup, which is charged with assessing the feasibility of establishing a modest/moderate means program (M/MMP) across Connecticut. M/MMP may be precisely the way to expand access to justice for people who are not poor enough to qualify for free legal aid, and who cannot pay for the 'going rates' for attorneys, which often run in to the hundreds of dollars per hour. Atty. Kaplan explained the history of an existing M/MMP established years ago by the New Haven Bar Association, but which has never expanded or been that successful. Attorneys must agree to accept \$60 per hour, and the income-qualified client must pay a \$500 retainer fee. This Workgroup is charged with assessing other states' programs, including [one established by the Washington State Bar Association](#), in which clients, with cases in either Family, Housing, or Consumer Law, who earn between 200% and 400% of the federal poverty rate hire a participating attorney and pay him or her hourly fees that have been reduced to between \$50 and \$150 per hour. The Commission members talked about the huge need for civil legal aid in Connecticut; only the poorest residents qualify for legal aid, and even those who do are often unserved because of a large gap in the availability of such services. An M/MMP will provide assistance to working class or middle class people who need a lawyer's service, but who cannot otherwise afford full fees. There was also discussion about what some might see as a surplus of attorneys and a dearth of available clients. Lawyers who would enroll in a M/MMP would have the benefit of establishing themselves and their practices, and of knowing that they are providing a service to people who are in need but would otherwise not be helped. Atty. Nelson noted that YLS members in 2013 donated \$2 Million worth of pro bono assistance to the public, more than twice their goal, and have been working with CBA leadership to develop a M/MMP so this effort dovetails nicely with their efforts. Atty. Clendenen, who is Vice President of the Connecticut Bar Association, told the Commission that the CBA is fully on board and will dedicate space and staff time to establishing a program. He also discussed the need for attorney mentoring and training. The Workgroup will also examine whether the Judicial Branch may be able to provide incentives to attorneys to take part in MMMPs, possibly through preferred docketing or other efficiencies. Members of this Workgroup will include private attorneys and members of the Judicial Branch.
- **Workgroup on Libraries and Access to Justice:** In 2012, the Commission, under the leadership of its first Chair, the Hon. Raymond R. Norko, co-sponsored a report written by national legal expert Richard Zorza with assistance from the [ABA's Resource Center on Access to Justice Initiatives](#). The report, [The Sustainable 21st Century Law Library: Vision, Deployment and Assessment for Access to Justice](#), offered an overview of how law libraries can and should respond to changing demands for services while working towards closing the justice gap. Ms. Collins said this Workgroup will assess the feasibility of establishing a permanent Judicial

Branch collaboration with the state's 200+ public libraries to increase access to justice, through outreach, training, and ongoing communication with each other and the legal aid community. The Branch's 13 law libraries and its law libraries website serve tens of thousands of people each year, including self-represented parties and attorneys, while the Branch's two dozen court service centers and public information desks serve more than 250,000 people annually. Staff cannot provide legal services, but can provide legal information and other assistance with forms, brochures, research guides, etc. The downside is that these in-person services are limited to daytime, weekday hours. Public libraries, which are open on nights and weekends, provide millions of visitors with a variety of services, including educational programs. Ms. Hess stated that a recent meeting with public librarians revealed, not surprisingly, that they receive daily inquiries from the public about the law, and services. This Workgroup will include public librarians, law librarians, court operations personnel, and legal aid members; its members will be charged with developing strategies to help close the justice gap through resource sharing and ongoing collaboration. Its members will utilize local resources, and those found on the Online Computer Library Center's (OCLC) [Webjunction.org](http://Webjunction.org), including the materials developed by the Self-Represented Litigation Network of the National Center for State Courts, as well as ProBono.net, including its [webinar series on libraries and access to justice](#).

- **Workgroup on Online Pro Bono Assistance:** At last year's national meeting of ATJC chairs, Judge Solomon and Judge Bright met a number of other chairs and learned about various ATJC programs, including a unique venture from Tennessee, [OnlineTNJustice.org](http://OnlineTNJustice.org). The Tennessee ATJ Chair, [Atty. George T. "Buck" Lewis](#), a past president of the TBA, had a vision for an online service that would match pro bono attorneys with income-qualified residents of that state who needed legal assistance but could not afford it or get to it because of the state's rural nature. Thus the idea of providing free legal advice via online communication was born; with the support of his firm, Baker Donelson, Atty. Lewis and [the TATJC](#) worked with the Tennessee Alliance for Legal Services and the Tennessee Bar Association to develop [OnlineTNJustice.org](http://OnlineTNJustice.org), which was launched in 2011. Lawyers volunteer to answer questions that have been submitted by email from income-qualified people with civil (only) cases. Those who qualify earn less than 200 percent of the federal poverty rate and have less than \$5,000 in assets, and may ask up to three questions per year. Attorneys can commit as much or as little time as they like, and answer the submitted questions at their own leisure. A program director at the [Tennessee Alliance for Legal Services](#) maintains the site and ensures that questions are answered in the order in which they are submitted, whenever possible. Volunteer attorneys know the individual's name and are thus able to screen for conflict, but the requestor does not know the attorney's identity (unless the attorney reveals that information). Insurance for the volunteer attorneys is provided by TALS. The system was developed with financial backing of Baker Donelson and the firm has generously offered to software at no cost to qualified ATJ entities like this Commission. This Workgroup, which will include legal aid leaders, Branch staff, and members of the bar, will assess the feasibility of establishing an identical or nearly identical program. Members will examine the

Tennessee model, which has been duplicated by pro bono bar groups in [Indiana](#) and [South Carolina](#); determine the logistics of maintaining such a site; and, if the program appears feasible, recommend ways in which to recruit members of the bar. Attorney Nofi-Bendici volunteered to be a Chair and/or member of this workgroup.

- **Workgroup on Videoconferencing and ATJ:** Commission guest, Mr. Rosengrant, told the members that the Judicial Branch received over \$1.1 million in federal funding in 2008 to install/upgrade video conferencing to increase access to justice. Every courthouse in the state now has v/c equipment, he said, and it is used by Judges for the Sentence Review Panel, at the Appellate Court, family court, and in other instances. Further, the Court Support Services Division used v/c to communicate with incarcerated individuals, resulting in savings on transportation and vehicle maintenance, as well as improving safety. However, the Branch has not used v/c to facilitate meetings between non-Branch entities. This workgroup will assess the feasibility of using video conferencing to provide greater outreach through its Volunteer Attorney programs. The group will be co-chaired by Mr. Rosengrant and Ms. Hess, and its members should include other staff with expertise in technology and experience in pro bono programs, such as Court Planner Cheryl Halford.

**V. Discussion of Commission's award of the ABA Innovation Grant:** Judge Solomon and Judge Bright talked about the Commission's receipt this summer of a [\\$10,000 American Bar Association Innovation Grant](#) to expand access to justice. Funded by the Public Welfare Foundation and the Kresge Foundation via the ABA's , the Commission grant is being used to recruit supports of civil legal aid via the [LawyerCorpsConnecticut](#) (LCC) program. LCC will, when fully funded, pay the salaries, for three years, of three new attorneys who will be placed as Fellows at three of the state's legal aid providers: [Connecticut Legal Services](#), [New Haven Legal Assistance Association](#), and [Greater Hartford Legal Aid](#). Attorneys Eppler-Epstein and Nofi-Bendici are members of the LCC Advisory Group, while guest Attorney Charlsa "Sandy" Broadus, of UTC, is LCC's executive director. Atty. Broadus told the Commission that UTC has committed funds to the program, and is allowing her to dedicate her time, full-time, to developing and launching LCC. Atty. Broadus and Judge Bright, who has conducted outreach on behalf of the LCC concept, said LCC fellowships will instill in young or new attorneys a lifetime commitment to providing high quality legal assistance to the poor. In addition to UTC, other Connecticut companies have donated funding to the project. The Commission's Innovation Grant has been used to develop the LCC website and will be used to recruit fellows and donors. It is anticipated that LCC will select its first three fellows in late spring, for a summer or fall start with their legal aid mentors.

- VI. Timeline and future meetings:** The Commission will meet regularly in 2014; the next meeting will be on Thursday, February 27<sup>th</sup>, at 2:00 p.m. at 225 Spring Street, Wethersfield. An agenda will be forthcoming and will include updates on the status of the workgroups. A second meeting was scheduled for late April.
- VII. Adjourn:** The meeting concluded and adjourned at 4:30 p.m.