

Minutes
Connecticut Judicial Branch
Access to Justice Commission
April 3, 2025

The Access to Justice Commission met on April 3, 2025. The meeting was hybrid with members attending in person in room 4B at 225 Spring Street, Wethersfield, Connecticut and members attending remotely via Microsoft Teams.

Members in attendance: Justice William H. Bright, Jr. (Chair); Judge Christine Perra Rapillo; Judge Walter Spader; Judge Elizabeth Stewart; Judge Cecil Thomas; Attorney Jamey Bell; Attorney Tanya Bovee; Attorney Travis Claxton; Mr. Patrick Deak; Ms. Alejandra Donath; Attorney Tais Ericson; Dean Brian Gallini; Attorney Edward Heath; Ms. Krista Hess; Ms. Claudia Beth Jalowka; Ms. Sandra LugoGines; Attorney Benjamin Nissim; Attorney Moy Ogilvie; Professor Rachel Reeves; Attorney Rose Ann Rush; Attorney James Shearin; Attorney Jennifer Shukla

Absent: Judge Karen DeMeola; Attorney Jan Chiaretto; Deputy Dean Fiona Doherty; Ms. Dawn LaValle

Also in attendance was Judge Marshall Berger (retired); Attorney Lina Lee, Executive Director of the Connecticut Bar Association; Attorney Giovanna Shay, Greater Hartford Legal Aid; Attorney William Pitt, Chief Clerk for Housing Matters; Attorney Damon Goldstein and Ms. Nicole Collins from the Judicial Branch's Court Operations Unit.

The meeting was called to order at 2:02 PM by Justice Bright.

I. Review and Approval of Minutes

A motion was made by Judge Spader and seconded by Patrick Deak to approve the minutes from the meeting on January 9, 2025. The motion passed by a 21-0 vote with five members absent.

II. Presentation on the CBA's Pro Bono Programs

Attorney Shukla began by introducing Attorney Lina Lee who is the new Executive Director of the Connecticut Bar Association.

Attorney Shukla provided the Commission members with a PowerPoint presentation of the Connecticut Bar Association's initiatives to improve access to justice. Improving access is one of the CBA's top priorities and many members of the CBA show a strong commitment to it. There are a number of ways that the CBA advances civil access to justice, including pro bono programs, lawyer-client fee disputes resolution, driving legislative and rules changes such as MCLE credit for pro bono work and raising funds for legal aid programs. This year is the CBA's 150th Anniversary and, to mark the occasion, it is encouraging all 8,000 members to contribute at least 150 minutes to pro bono or community service.

Attorney Shukla shared with the members of the Commission specific pro bono programs offered by the CBA. The first program is the CT Free Legal Answers Program, which is offered in conjunction with the American Bar Association. The CBA has administered this Program since 2019. As of now, the CBA has answered over 2,350 questions. CT Free Legal Answers is an online question and answer website that is confidential and is available 24/7.

The second pro bono program is the Free Legal Advice Clinics. In these clinics, members of the public can sign up to meet via Zoom with a volunteer attorney for 30 minutes. There are no income restrictions and registrations are always open. Held 4 times a year, the clinics utilize about 60 volunteer attorneys, law students and paralegals.

The third pro bono program is the Lawyers in Libraries Program. This Program is held in person at 10 different libraries around Connecticut. There are no income limitations and pre-registration is required.

The fourth program is Pro Bono Connect, which is the CBA's direct representation program. This Program offers free on-demand subject matter training to attorneys who would like to volunteer.

The fifth program, which is subject-specific, is the CBA's Bankruptcy Pro Bono Program. This Program is offered in partnership with Statewide Legal Services and assists individuals who have a bankruptcy case. There are about 35 volunteers who represent clients in their Chapter 7 Bankruptcy cases.

The sixth program is the Emeritus Pro Bono Program, which is for retired, semi-retired, or non-practicing attorneys who would like to volunteer to provide pro bono assistance to individuals. There is a matching program where a CBA representative will meet with the volunteer attorney to look for pro bono opportunities that fit their interest, experience and availability.

The last program, which also uses volunteers from the Emeritus Program, is the Small Claims Volunteer Attorney Program. The Small Claims VAP is conducted in conjunction with the CT Judicial Branch. The Program is held in three different courthouses and is for individuals who are seeking guidance for their Small Claims questions.

Along with the CBA's Pro Bono programs, six individual CBA Sections including the Young Lawyers Section, LGBT Section, Estate and Probate Section and the Executive Committee also offer their own programs.

III. Proposal to Amend the Discovery Rules in Summary Process Matters

Justice Bright provided the members of the Commission with a brief overview of the proposal to amend the discovery rules in summary process matters. The proposal includes changes to Practice Book Sections 13-7 and 13-10 as well as a new section concerning the mandatory disclosure of the lease and ledger. Justice Bright asked members of the Commission to think about whether this proposal is an access to justice issue and, if so, if the proposal promotes or impedes access to justice.

Attorney Giovanna Shay, who represents Greater Harford Legal Aid, stated that the proposal has two main components that involve access to justice. First, it would assist unrepresented tenants by requiring disclosure of the lease and ledger before the parties went forward with mediation or trial. Second, the proposal seeks to shorten the time period for responding or objecting to interrogatories and requests for production to 15 days instead of the current 60 days. This proposal will accommodate the compressed time frame for summary process cases as most are completed in under 60 days. The shortened time frame will also ensure that the pace of litigation stays on track. Attorney Shay indicated that the longer the litigation goes on, the higher the fees for the plaintiff's lawyer will be that are then passed on to the tenant.

Attorney Bill Pitt, Chief Clerk for Housing, spoke on behalf of the Judicial Branch regarding concerns with the proposal. Attorney Pitt reported that discovery issues are rare in summary process matters and the court is only aware of them when discovery becomes a problem. Under the proposal, the clerk will need to review 2/3 of all files to determine if they are ready to proceed. Attorney Pitt indicated the procedures the court currently implements give each case and the parties the attention appropriate for their case. In addition, leases contain personal identifying information that require redaction or sealing. If a lease or ledger is needed, parties can address that with the court.

Attorney Jamey Bell added that the goal of the proposal is to help ensure that settlements are founded in facts and law, especially for self-represented litigants, who are unlikely to have engaged in discovery.

As part of the group's discussion, Attorney Ed Heath expressed his support of the proposal. Attorney Jenn Shukla and Judge Berger both saw this as an access to justice issue. Judge Spader felt that adjustment to practices is not something that implicates access to justice. Attorney Travis Claxton stressed the importance of accuracy and accurate outcomes but felt that the changes in the proposal were not critical to the process.

A motion was made by Attorney James Shearin and seconded by Judge Spader to table this discussion until the October 1, 2025 meeting. The motion passed by a 22-0 vote with four members absent.

Justice Bright inquired, for the October 1st meeting, if there is data that can be provided regarding the number of self-represented plaintiffs in summary process matters? This information would be beneficial for further discussions.

IV. Updates from Subcommittees

Justice Bright stated that he would like for the Subcommittees to have their recommendations prepared for the October 1st meeting.

a. Pro Bono Subcommittee

Judge Stewart reported that the Pro Bono Subcommittee has been looking closely at the supply side of their charge, as they are waiting to further discuss the demand side, once the Connecticut Bar Foundation finishes their legal needs assessment.

The Pro Bono Subcommittee has divided into two groups. The first group is setting up listening tours around the state to speak with various groups of attorneys. These tours will help the Subcommittee and ultimately the Commission get a sense of what attorneys are already doing pro bono work and what motivates them to undertake this kind of work. The listening tours will be focused on how to get more attorneys to do more pro bono work. Judge Stewart stated that she hopes to do a few tours before summer.

The second group is working on developing a one-stop shop website for both clients and providers. Subcommittee members have been reviewing other states' pro bono websites and are creating a list of the different attributes that they believe may be helpful to the Subcommittee's work.

b. Self-Represented/Access Issues Subcommittee

On behalf of the Chair of the Self-Represented/Access Issues Subcommittee, Attorney Tais Ericson reported that the Subcommittee has divided into two working groups with each one having a main focus. The first working group is focusing on housing access for defendants. Members are continuing to look at how to improve and create resources for individuals who are going into the courthouse through different pilot programs.

The second working group is focusing on court advocates and plain language. For court advocates, Attorney Ericson indicated the Subcommittee is suggesting ideas such as, lawyer for a day, volunteer attorney programs, use of law students, use of retired attorneys, undergraduates, and anyone that can serve as a court navigator. Court navigators can be non-attorney advocates who assist self-represented parties with their questions about the court process. There has also been discussion on making space in the courthouses available to accommodate the navigators. All Judicial District courthouses have Court Service Centers with public access space. Attorney Zach Zarnow, who is a representative of the National Center for State Courts, participated in one of the Subcommittee meetings to share some information on improving the use of plain language.

c. Law Libraries/Law Schools Subcommittee

Judge Spader reported that the Law Libraries/Law Schools Subcommittee continues to decipher the Subcommittee's focal point. The members of the Subcommittee will continue further discussion on integrating various law school clinics with the court, adding training for judges on how to work with students and formalizing the way to work with law schools.

d. Legal Aid Subcommittee

Judge Thomas reported that the Legal Aid Subcommittee met on March 14th and had a guest speaker from the National Center for State Courts, Samira Nazem, who presented on Reimagining Housing Court: A Framework for Court-Based Eviction Diversion.

Following the presentation, there was discussion among Subcommittee members of the different implementations of two cohorts' eviction diversion programs from across the country. Of the cases that engage with the diversion programs, 89% resulted in settlement via voluntary dismissal. With the statistics shared from the presentation, the Subcommittee has identified three items for further discussion.

1. Could the Legal Aid Subcommittee begin the process of thinking about what a diversion program would look like, creating the intersection between housing code enforcement, and community agencies that help as part of the mediation program over a longer period?
2. Where and how would they design it?
3. What statutes would they need to consider if they were to implement such a program?

V. Review of the Connecticut Bar Foundation Legal Aid Symposium

Justice Bright reported on the March 21st Connecticut Bar Foundation (CBF) symposium Justice For All: The Present and Future Impact of Legal Aid in Connecticut at UCONN Law School. Through a series of panel discussions with leaders in Connecticut's legal community, the Symposium helped to get the attendees focused and offered insight on the changing federal landscape.

VI. Future Access to Justice Conference

Judge Rapillo informed the members of the Commission that the Access to Justice Conference will be held in May 2026 at the Legislative Office Building. There have been preliminary discussions on how the conference will be structured, which will be further discussed once the Subcommittees have confirmed their topics for the conference.

VII. Next Meeting

The next meeting of the Access to Justice Commission will be held on Thursday June 26, 2025 at 2:00 PM.

VIII. Motion to Adjourn

Attorney James Shearin moved, and Judge Spader seconded, a motion to adjourn the meeting. The Committee approved the motion by a 22-0 vote with four members absent. Justice Bright adjourned the meeting at 3:25 PM.