

**Minutes**  
**Connecticut Judicial Branch**  
**Commission on Access to Justice**  
**Tuesday, May 27, 2014**  
**2:00 p.m. at Hartford Community Court**  
**80 Washington Street, Hartford, CT**

**Members present:** Hon. Elliot N. Solomon, Chair; Atty. Thomas P. Chapman, Ms. Heather Nann Collins, Atty. Steve Eppler-Epstein, Ms. Krista Hess, Atty. Barbara McGrath, Atty. Susan Nofi.

**Members absent:** Hon. Maria A. Kahn (Co-Chair), Ms. Aisha N. Banks, Hon. William H. Bright, Jr. Atty. William H. Clendenen, Jr., Atty. Mark Nordstrom, Chief Public Defender Susan O. Storey, Atty. Herman Woodard Jr.

**Workgroup members and guests present:** Atty. Jamey Bell, Atty. Joseph D. D'Alesio, Atty. Patricia Kaplan, Atty. Jeff Dowd, Atty. Alice Mastrony.

- I. **Welcome:** Deputy Chief Court Administrator Judge Elliot N. Solomon
- II. **Review and vote on [Draft Minutes of February 27, 2014](#):** The Minutes were approved unanimously.
- III. **ATJ Projects Updates from Chairs and Members:** Judge Solomon asked the chairs of the Commission's workgroups to provide updates on their activities:
  - A.) **[Modest/Moderate Means Workgroup](#):** Atty. Kaplan reported to the Commission that the workgroup, which has conducted two telephonic meetings, completed the development of a survey that will be used to gather information on M/MM programs from across the country. An intern with one of the legal aid providers helped to develop the survey, and another will be conducting the survey this summer. The survey consists of several dozen questions that the workgroup hopes will provide a broad picture of where the programs exist; what makes M/MM programs succeed and what makes them fail; determine how the programs are administered, i.e., through a legal aid program, bar association, or Bar foundation. The goal is to capture the data and evaluate it for best practices from 18-20 M/MMP providers. Currently, Connecticut's only MMP is sponsored by the New Haven County Bar Association; unfortunately, Atty. Kaplan told the Commission, only a handful of lawyers participate. There was discussion on what the Connecticut Bar Association is pursuing; it now appears as though the CBA may be about to embark on a 'virtual' M/MP rather than the incubator pilot, with space in the association's New Britain office, that had been discussed. Further, the CBA pilot will apparently focus on a few select areas of law, such as consumer issues, rather than opening it up to attorneys from all specialties. The Workgroup will report to the Commission in the fall its national findings.
  - B.) **[Workgroup on Libraries and Access to Justice](#):** Co-Chairs Ms. Hess & Atty. Dowd: Atty. Dowd reported that this workgroup has met three times and quite a lot has already occurred. The co-chairs, with the workgroup's approval, developed three surveys of [Court Service Center](#)/Public Information Desk staff; law librarians, and public librarians. The goal of the surveys was to try to determine what kinds of legal questions are being asked by the public; what sorts of resources are available; whether there exists a professional relationship with local librarians, law librarians, CSC/PID staff, and academic librarians Atty. Dowd presented the members with the survey results of 59 public

librarians which showed that two-thirds are asked questions about legal issues, with landlord/tenant issues being the most referenced, followed by wills and estates, divorce, and child custody. Of those who answered the survey, 66 percent said they use the Judicial Branch website and 56 percent use [the Branch's law libraries website](#) to locate information for patrons. More than a dozen librarians wrote comments and suggestions, citing the need for training on providing access to legal resources and knowing the difference between providing legal information (allowed) versus providing legal advice (not allowed).

- The LL/CSC/PID staff surveys reveal, among other things, a shared interest in working with public librarians to give them the tools they need to better serve the public. Ms. Hess told the Commission that several of her CSC/PID staff have directly contacted the local librarians in the judicial districts in which they work. The reception has been very positive, Ms. Hess said. The survey information will be combined with the responses of three focus groups of public librarians, to be conducted in the early fall, to help develop a program or guide for public librarians on the resources that are available in courts and online. The other goal is to involve legal aid providers or sponsors of pro bono legal clinics in the information-sharing process with an eye towards conducting pro bono clinics and legal information sessions for members of the public in libraries.
  - Atty. Dowd also told the Commission that the Workgroup members support the idea of developing an online calendar, for posting to the Judicial Branch website, of all known pro bono and legal aid clinics. The Branch hosts [Volunteer Attorney Day programs](#) in five judicial districts, and many bar associations and legal aid providers have recurring or special pro bono programs. However, there is currently no single calendar detailing those programs that can be easily located by the public. The vocal majority of the workgroup supports the idea of developing a calendar sooner rather than later, he said, and the idea must again be presented to the Branch's internal Web Board, which makes decisions about the online content found at [jud.ct.gov](#). Finally, it was noted that the Workgroup members are considering the development of a clearinghouse of legal information, limited to judicial stakeholder resources, such as the Branch and legal aid providers. The Workgroup meets again on June 24.
- C.) [Workgroup on Online Pro Bono Assistance](#): Atty. Nofi and Ms. Hess: Atty. Nofi told the Commission that Attorney Robert Hinton, past president of the New Haven County Bar Association, has been added to the Workgroup's membership, ensuring the interests of the private bar are considered. Ms. Hess also told the Commission about [her trip, in March, to Nashville, Tennessee](#), made possible by the generosity of a grant from the National Center for State Courts' "Center on Court Access to Justice For All," to learn more about that state's online pro bono program, [OnlineTNJustice.org](#). The online pro bono program allows Tennessee residents, who earn below 250 percent of the federal poverty guidelines, to seek legal advice from a volunteer attorney. The program is administered by the [Tennessee Alliance for Legal Services](#), or TALS. The attorney is anonymous to the person seeking advice, which is delivered via email. Users can ask up to three questions per year. She distributed a report on her trip to the group, which addressed a number of questions related to the technology involved in such a project; the administration of an online portal, including the necessary monitoring of the timeliness of questions in the queue; the reception by members of the bar; the potential impact on other pro bono programs; recruiting and retraining volunteer attorneys; attorney malpractice insurance; and quality control.

- TALS run the Tennessee program in conjunction with the private law firm of Baker Donelson Bearman Caldwell & Berkowitz, and the Tennessee Bar Association. Ms. Hess notes that the goals of the OTJ program are three-fold: 1. to enhance access to justice for low-income Tennesseans especially those in more rural parts of the state; 2. provide pro bono services to those clients who may not be served by traditional legal aid services; and 3. remove barriers to providing pro bono services for attorneys. In use for over 3 years, OnlineTNJustice.org has received nearly 6,000 inquiries from some 4,300 people.
- The Commission talked about the current challenge of replicating something like this program — and Tennessee has offered free use of the content and software license to ATJCs and judicial branches and others in the ATJ community — in Connecticut. There are numerous positives to an online program, including its use as another method of delivering services to qualified people; allowing attorneys to choose the when and where of committing to pro bono; serving homebound people or people with no means of transportation; providing experience to attorneys; and serving those whose incomes do not qualify them for legal aid, but who are still too poor to pay for the services of an attorney. Potential issues include getting a firm commitment from a non-LSC funded entity to be the administrator because LSC limits the provision of its services to people earning up to 125 percent of the federal poverty guidelines. Further, finding attorneys willing to commit to respond to questions in a timely manner, and expanding the volunteer pool might be other issues.
- Judge Solomon, who first suggested that this Workgroup be formed after hearing firsthand about OnlineTNJustice.org last year, said if his office can be of assistance in developing or supporting such a program, he is committed to helping.

**D.) [Workgroup on Videoconferencing and ATJ](#):** Co-Chair, Ms. Hess: Told the Commission that the group, which has met three times, already has some [potential pilots planned](#) for implementation, including: the use of videoconferencing for non-evidentiary proceedings; the feasibility of using v/c for status conferences in cases on the individual calendaring docket; the possibility of using the equipment for a specialized court docket, such as the land use or other regionalized docket (as is often used for habeas cases in Rockville); and developing a means for parents of incarcerated juveniles to communicate with their children. The workgroup is also looking at the feasibility of facilitating pro bono programs, Ms. Hess noted, and is working to develop a pilot wherein attorneys in the Waterbury JD, who volunteer for the Foreclosure pro bono program, would be able to help a person in the New Britain JD seeking foreclosure advice.

**IV. Discussion by the members** of a proposal by state legal aid providers' federal LSC technology grant application: Atty. Nofi, Atty. Eppler-Epstein: Atty. Nofi told the Commission that LSC is awarding technical grants (TIG) and statewide legal services would like to apply for money to build six new online classes for self-represented parties, in English and Spanish. A letter from the Commission chairs would be helpful and the Commission has in the past supported SLS' applications. Judge Solomon said he will discuss it with Judge Kahn but does not think there would be any barriers to supporting the application.

V. **Discussion of report** to the American Bar Association on the [ATJC Innovation Grant](#) from Kresge and Public Welfare foundations in support of [LawyerCorpsConnecticut](#): Ms. Collins said that she is preparing the report required by the American Bar Association, detailing the development and progress of the LCC with help from the ABA's ATJC Innovation Grant. The report is due to the ABA by June 30, 2014.

VI. **ATJ Commission member updates:**

- [National Meeting of the Access to Justice Commission Chairs Conference](#) : Judge Solomon attended the National Meeting in May, as Chief Justice Rogers' designee. There were programs on assisting self-reps; forms development, etc., and he talked with other chairs about the LCC program. Meeting with others from across the country is illustrative as to how much Connecticut's legal community and the Judicial Branch do to ensure access to justice for all people, from the plethora of online resources including forms, brochures, videos, and guides; to language assistance and accommodations for people with different abilities; to coordinating Volunteer Attorney Day programs, to the availability of live and online help at Court Service Centers and law libraries. One area that can be improved is a higher percentage of pro bono giving by the state's 26,000 registered attorneys, Judge Solomon said. Providing pro bono helps courts run more smoothly as people with lawyers are better prepared and better served; well-run courts save companies money because their legal teams will not have to spend hours in court waiting to be heard. There was also discussion at the National Chairs meeting about pro bono requirements, such as those adopted by New York State and more recently, Kansas, Judge Solomon noted.
- [Pro Bono Committee Summit](#) : The members discussed the May 14<sup>th</sup> Summit, which occurred at the Legislative Office Building and included 100 invited participants, including Judges, Chief Clerks, legal aid providers, house counsel, and members of the private bar. The Summit featured two panels, [recorded by CT-N](#), and afternoon breakout sessions. Judge Bright served as the event's moderator and Chief Justice Rogers addressed the attendees and thanked them for their participation and willingness to be ambassadors for pro bono. The Summit also featured the launch of a [new video, Pro Bono in Connecticut](#). Featuring Judge Bright, Chief Justice Rogers, Gov. Malloy, private attorneys who volunteer, and a handful of people who have been helped by volunteer lawyers, the video talks about the importance of providing pro bono service to help increase access to justice for all people. Among the clients featured is a man who needed help getting services for his son, and a woman in a violent marriage.
- ECSU appearance by Judge Kahn and Chief Justice Rogers on [Women and Access to Justice](#) The Chief Justice and Judge Kahn participated in a forum sponsored by Eastern Connecticut State University on Women and Access to Justice. The video is available on YouTube.

VII. **Timeline and future meetings** (dates and locations): The Commission will meet in September, with a time, date and location to be determined. It is expected that the Workgroups will continue meeting, in anticipation of providing reports to the Commission in the fall.

VIII. **Adjourn:** The meeting was adjourned by agreement at 3:50 p.m.