

Minutes  
Connecticut Judicial Branch  
Access to Justice Commission  
July 13, 2021

The Access to Justice Commission met remotely via Microsoft Teams on Tuesday, July 13, 2021. The meeting was convened by the chair at 231 Capitol Avenue, Hartford, Connecticut and livestreamed to the public on YouTube.

Members in attendance: Justice Maria A. Kahn, Chief Judge William Bright, Judge Gerald Harmon, Judge Ingrid Moll, Deputy Dean Muneer I. Ahmad, Dean Jennifer Brown, Dean Eboni Nelson, Assistant Dean Karen DeMeola, Attorney Tais Ericson, Attorney Jennifer Ferrante, Attorney Patricia Cruz Fragoso, Ms. Krista Hess, Attorney Eva Jacobson, Attorney Chris R. Nelson, Attorney Moy N. Ogilvie, Attorney James P. Sexton

Absent: Judge Leo V. Diana, Ms. Dawn LaValle, and Attorney Janice J. Chiaretto

Also in attendance were Judge Elizabeth A. Bozzuto, Attorney Jeffrey Dowd, Natalie Wagner, Executive Director of the Connecticut Bar Foundation, guest presenters Attorney Jill Bicks and Elizabeth S. Thayer, Ph.D., as well as Ms. Stacey Franklin and Ms. Lauren Orlowski from the Judicial Branch's Court Operations Unit.

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

I. Welcome

Justice Kahn offered welcoming remarks to the commission and guests, and introduced Lauren Orlowski as new support staff to the Access to Justice Commission.

Justice Kahn provided an update on the Massachusetts Access to Justice Commission and publicly thanked Susan Finegan, Pro Bono partner with Mintz Levin, who is stepping down from her role with the MA Access to Justice Commission after many years. Commissions from Connecticut and Massachusetts plan to meet and work in concert with one another.

II. Review/Approval of the Draft Minutes from the March 11, 2021 meeting

Absent any comment or objections, Attorney Chris Nelson moved, and Judge Bright seconded, to approve the minutes from the March 11, 2021 Access to Justice Commission meeting.

### III. Updates from Workgroups

#### A. Workgroup on Modest and Moderate Means and ATJ

##### a. Brief Report and Introduction

In lieu of a substantive report, the group provided a presentation on the collaborative divorce process. Attorney Chris Nelson provided an introduction of guest presenters Attorney Jill Bicks and Elizabeth Thayer, Ph.D.

##### b. Collaborative Divorce Presentation

Elizabeth S. Thayer, Ph.D. and Attorney Jill Bicks delivered a presentation on the process of collaborative divorce and the ways in which there are efforts to make this process more accessible and feasible to those with modest/moderate financial means. In an effort to avoid the adversarial nature of litigation, collaborative divorce provides a more cooperative, family-centered approach to dissolution with the help of an attorney, financial expert, and mental health professional. Dr. Thayer provided an overview of a new pilot program to provide collaborative divorce services to individuals of modest means. She discussed the need to disseminate information about the availability of these services.

#### B. Workgroup on Libraries and ATJ

Attorney Jeffrey Dowd delivered an update on the workgroup's progress in its online legal reference materials. A new training program has been implemented for librarians and has received very positive feedback from participant surveys. The training involves many topics, including how the legal system works and how to effectively address questions while avoiding giving legal advice.

A new ADA Quick card has been created. There is a link on the Judicial Branch website, and the card will be distributed to the appropriate offices for the public. The group is also working on a "Know Where to Start" page, which will help people determine how to approach their legal issue and access various legal services programs.

Ms. Krista Hess shared that all 162 libraries are now open to the public for in-person services. The state has also received A.R.P. funding to create nooks in libraries for individuals to maintain privacy while working on their court cases. Additionally, there is a Limited English Proficiency card that will be provided to all libraries.

Justice Kahn suggested a collaboration between the Libraries and Modest/Moderate Means groups to brainstorm ways to provide access to all materials to the public.

### C. Workgroup on Law Schools

Dean Muneer Ahmad discussed the status of remote clinical programs and externships, noting that the primary means of law school involvement with access to justice is by way of these programs. Currently, there are increased efforts to create and implement pipeline projects such as internships and mentorships that are focused on equity and inclusion, intended to diversify the applicant pool in Connecticut. There are currently pipeline program projects underway at Yale, Quinnipiac, and UConn. The American Bar Association maintains a national directory of these projects.

Many law school clinics and programs can aid in providing legal assistance for domestic violence victims and individuals facing eviction, two groups of people that will be provided legal representation pursuant to recent state legislation. Dean Jennifer Brown suggested an increase in utilizing law students for dispute resolution, and not solely for legal representation.

Access to need-based scholarships and funding is essential to this mission. Judge Bright and Ms. Krista Hess commented on previous efforts to obtain funding for public interest fellowships, as well as the hurdles they faced.

The workgroup will focus on ways to revive training programs and get law students involved in more training.

### D. Workgroup on General Pro Bono

The Workgroup on General Pro Bono met once since the last meeting to review steps taken by the Judicial Branch over the past year. Judge Harmon reported that remote proceedings have proven to be efficient, taking less time than in-person proceedings, and also resulting in lessened expenses or fees for the parties. The new Connecticut Bar Association President, Attorney Cecil Thomas, wants to create more Pro Bono work opportunities and training. Up to \$10 million has been allocated to funding legal representation to landlords and tenants facing eviction proceedings in the state of Connecticut.

Attorney Moy Ogilvie discussed lessons learned from the pandemic, and emphasized the importance of access and resources for the most vulnerable population, particularly in a remote world. Attorney Ogilvie proposed more flexibility for in-person events, and demonstrated the many ways that individuals can benefit from being physically present in the courthouse.

### E. Workgroup on Video-Conferencing and ATJ

Ms. Krista Hess reported that the workgroup is being reinstated as the "Remote Access and Access to Justice" group. The group's mission was discussed, and a

revised draft charge was circulated to the commission prior to the meeting. The workgroup's objective is to provide options to accommodate all individuals and to better provide assistance in the navigation of the justice system.

The group intends to call a meeting with all other workgroups to collaborate on ways that technology can be used to benefit all facets of access to justice.

#### IV. National ATJ Commissions Racial Justice Working Group

Justice Kahn delivered remarks on behalf of the National ATJ Racial Justice Group. The group will meet next on July 26, 2021 from 3-4 PM. When the notice of meeting and login information is issued, she will circulate it to commission members.

#### V. Other Business / New Items

- A. Judge Bozzuto provided the group with an update on the judicial branch's progress on remote means and remote rooms. There are now remote room "kiosks" in all courthouses, including Juvenile and Criminal, which can be reserved and utilized by self-represented parties who do not otherwise have the technological means to participate in remote proceedings. Since the beginning of the pandemic, the number of e-filing access requests have more than doubled.

Court service centers are also now fully functioning, with full in-person staffing. Also, as of June 4, 2021, Housing mediation is back on-site and seeing a large volume of cases. The mediation program is working in conjunction with the Department of Housing in an effort to secure available funds. The Volunteer Attorney programs are also resuming in September.

- B. Attorney Jay Sexton provided an update on behalf of the Appellate Pro Bono workgroup. The workgroup is in the process of actively drafting a rule change which would permit limited scope representation in appeals cases. This would permit limited scope representation for drafting or motion practice, as well as in-court argument. The proposed change will be presented to the Appellate Judges and Supreme Court Justices soon for their review and comment. The group is also working on implementing a plan for creating Pro Bono involvement in appeals cases that have already been commenced. Pro Bono or "Low Bono" representation would be appointed upon the Court's indication that it would be necessary or essential. The process would be akin to the Federal System.

Judge Moll highlighted that most often there is emphasis on Pro Bono representation at the Trial Court level, but lack of legal representation also affects the higher courts. Roughly 35% of appeals filed involve at least one self-represented party.

- C. Justice Kahn addressed the Commission and asked all workgroups to collaborate on the possibility of revitalizing fellowship programs within the state in an effort to create more accessible and affordable legal options for the community and generate job opportunities for recent law school graduates.

#### VI. Schedule Next Meeting

The next meeting date of the Access to Justice Commission is to be determined. A poll will be created and distributed to the Committee for members to indicate their availability in the month of November.

#### VII. Adjourn

Attorney Moy Ogilvie moved, and Dean Jennifer Brown seconded, a motion to adjourn the meeting. Justice Kahn adjourned the meeting at 3:56 PM.