

MINUTES
Connecticut Judicial Branch
Access to Justice Commission
Thursday, 27 September 2018
2:00 p.m.
Hartford Community Court
80 Washington Street, Hartford, CT

The Access to Justice Commission met on Thursday, Sept. 27, 2018, in the conference room at Hartford Community Court, Hartford, CT.

Members in attendance: Justice Maria A. Kahn, Judge Ingrid L. Moll, Judge William Bright Jr., Judge Leo Diana, Judge Gerald Harmon, Deputy Dean Muneer I. Ahmad, Dean Jennifer Gerarda Brown, Atty. Janice J. Chiaretto, Ms. Heather Nann Collins, Assistant Dean Karen DeMeola, Atty. Tais Ericson, Atty. Jennifer Ferrante, Dean Timothy Fisher, Attorney Patricia Cruz Fragoso, Ms. Krista Hess, Ms. Dawn LaValle, Attorney Chris R. Nelson, Attorney Moy N. Ogilvie, and Attorney James P. Sexton.

Guests: Chief Justice Richard A. Robinson, Deputy Chief Court Administrator Judge Elizabeth Bozzuto, Senior Judge Elliot N. Solomon, Atty. Damon Goldstein.

- I. **Welcome** from Co-Chairs: Justice Kahn and Judge Moll introduced Chief Justice Robinson, and welcomed new Commission members Judge Diana, Judge Harmon, and Atty. Ferrante. Chief Justice Robinson, who was sworn in in the Spring following the retirement of Chief Justice Chase T. Rogers, told the Commission that he is fully committed to its mission to increase justice for all people by increasing the public's trust. He thanked the members, who are all volunteers, for their time and commitment to this important endeavor. There was also discussion about the elevations of the Co-chairs to the Supreme and Appellate courts. The members introduced themselves for the benefit of new members.
- II. **Review/Approval of the [Draft Minutes](#) of November 20, 2017:** The draft minutes were approved.
- III. **Review of Commission Charge:** Ms. Collins provided an overview of the charge and the Commission's work since its inception in 2011, beginning with the work of Judge Raymond R. Norko (retired) and his successors including Judge Elliot N. Solomon, Justice Kahn, Judge Bright, and Judge Moll. The ATJC has supported a number of projects related to increasing access for people with civil cases, with a particular focus on developing new pro bono (free legal assistance) programs and expanding existing programs. Examples include the Branch's Volunteer Attorney Day programs in 16 locations which have served thousands of people who otherwise would not have the benefit of legal advice, and a program that helped to place for a year Legal Fellows at three of the state's legal aid providers.

- IV. **Review of May 2018 LSR Symposium: Justice Kahn, Judge Bright, Ms. Hess:** Ms. Hess told the Commission that a [Limited Scope Representation](#) (LSR)/Modest Means symposium was conducted at the University of Connecticut's School of Law on May 4, drawing dozens of attendees and many presenters including Justice Kahn, Judge Bright, Dean Fisher, Dean DeMeola, Atty. Nelson and others, including Judge James W. Abrams, Judge Elizabeth Bozzuto, Judge Mark H. Taylor, and Judge Leslie Olear. The symposium was co-sponsored with the Connecticut Bar Association, the Connecticut Bar Foundation, and the University of Connecticut Law School. Judge Bright gave an overview of the symposium and explained that the limited appearance aspect of LSR is when an attorney represents or assists a party with part, but not all, of his or her legal matter. Limited appearances are allowed under certain Practice Book Rules established in 2014 for Family cases, and 2016 for Civil matters. Currently, there are about 200 Connecticut attorneys who will serve clients on a limited scope basis; the Connecticut Bar Association has a list of those attorneys on its "[Find a Lawyer](#)" webpage. There was discussion about how to make the program more appealing to a larger segment of the bar, and of helping to ensure that the public knows such limited representation is available in certain case types.
- V. **Update on Civil Gideon Pilot Program for Temporary Restraining Orders:** Atty. Damon Goldstein provided the members an update on this pilot program in the Waterbury Judicial District, which provides free attorneys to indigent applicants and respondents in Temporary Restraining Order cases, or TROs. The pilot was established by the Branch at the request of the governor following the release of a report from a task force on Civil Gideon. The Branch was provided with \$400,000 in funding for the pilot, and contracted with Connecticut Legal Services Inc. to provide legal counsel to qualified applicants who have filed an application for relief from abuse, and with the Division of Public Defender Services to provide legal counsel to any qualified respondent. The program began on July 2, 2018, providing free legal services to those who earn up to 197% of the federal poverty guidelines. CT Legal Services hired two attorneys to work for the duration of the program and have filed appearances in 72 cases, or about 54% of the 134 applications filed. The Office of the Chief Public Defender hired one attorney and one social worker, and has filed appearances in 35 cases, or about 26% of cases. Information about this pilot is provided to both the applicant and the respondent at the time of filing/service, and signage in English and Spanish are posted in the courthouse. There are regular meetings between the OCPD and the Legal Services providers, along with the clerk's office and social service providers. There was discussion about how to adequately and accurately measure the success and impact of the pilot program. A survey was developed for participants including the attorney providers, judges, and the applicants/respondents and it is administered to all applicants of TRO's whether or not they applied for or utilized the services under the pilot program.
- VI. **Update on Modest/Moderate Means Initiatives:**
- [Connecticut Communities Law Center](#) (CCLC) University of Connecticut School of Law & Hartford County Bar Association (HCBA): Dean Fisher gave a brief update on this program, which allows new attorneys to use, at no cost for a limited period of time, office space and some support services to begin establishing law practices that serve people of modest/moderate means—up to three times the poverty rate. The new lawyers in this

program are partnered with mentors from the Hartford County Bar Association and the law school and also receive training and advice on business practices. The incubator has a pair of attorneys who are earning a living but it is very hard work as there is no stipend. The CCLC and HCBA are working on recruiting additional new attorneys for this program.

- The [Justice Legal Center at the Center for Family Justice](#), Inc. (Bridgeport): Atty. Ferrante told the Commission about this program, which was established nearly two years ago with 5 attorneys. The space is located at the Family Justice Center, which serves people with family issues. There are currently 4 attorneys practicing and the center has referred 98 clients to the incubator for family law issues. This two-year program offers the attorneys assistance with their business models, including an accountant from the community. Sustainability of the practices is a challenge. New attorneys often graduate with tens of thousands of dollars in law school debt and those who choose to open up a solo practice find the competition makes it very difficult to survive on just their solo practices until they are more established. Some of the attorneys in the incubator program have other part-time jobs to make ends meet. Only one attorney in the incubator program has been able to make a living working full time as a solo practitioner.
- Atty. Nelson, who has a practice in New Haven, has been involved in similar efforts there to establish incubator programs. He suggested that the Commission could help grow these incubators and ensure more underserved populations have access to justice by encouraging the Judicial Branch to consider setting aside some court-appointed legal work, such as guardians ad litem and other roles, and helping to notify the public of such programs. Ms. Hess noted that there is signage and other information in the courthouses of the judicial districts where the incubator programs are located. Atty. Nelson's suggestions will be referred to the Commission's Modest/Moderate Means Committee for review.

VII. **Review of Proposed Committees & Committee Assignments:** Justice Kahn and Judge Moll asked the members to review a national ABA Report summarizing the projects and initiatives of all ATJCs to see if there are any initiatives from other states that are worth pursuing in the coming year. They asked each member to send to them suggestions of potential ATJ projects. The list of proposals will be circulated and reviewed by the ATJC at our next meeting. Justice Kahn and Judge Moll also asked all members, who had not previously done so, to submit their working group preferences. Working group assignments will be finalized and circulated within a couple of weeks. Working groups were encouraged to meet once before our next ATJC meeting.

VIII. **Commission Meeting Schedule** for 2018-2019: The next meeting will be on Thursday, November 29 at a location to be determined. Another meeting will be held in February 2019.

IX. **Adjourn:** The meeting adjourned at 4:05 p.m.