

## CBA LPRC POSITION REQUEST FORM

The CBA Pro Bono Committee Law and the Standing Committee on Professional Ethics **position request** is as follows:

- 1) Proposed legislative or regulatory concept:

**The Pro Bono Committee, in a joint proposal with the Standing Committee on Professional Ethics, proposes to amend Rule 5.5 of the Rules of Professional Conduct to include pro bono practice under limited circumstances as a new category of permissible practice in Connecticut by attorneys licensed and in good standing in other jurisdictions.**

- 2) Explanation and rationale for advancing this position:

**Rule 5.5 prohibits the practice of law in Connecticut by individuals who are not licensed in the state. It does, however, contain a number of exceptions to permit temporary practice in Connecticut for lawyers who are admitted and in good standing in another jurisdiction.**

**The proposed amendment of Rule 5.5 would add a new category of permissible temporary practice that would permit a lawyer who is licensed, and in good standing, in another jurisdiction to provide pro bono legal services in Connecticut so long as those services are provided "under the supervision of an organized legal aid society or state/local bar association project, or of a member of the Connecticut bar who is also working on the pro bono representation."**

**The proposed pro bono rule would encourage attorneys who live in Connecticut, but are licensed to practice law in another jurisdiction, to volunteer to provide pro bono assistance in this state. The proposed amendment would expand the pool of potential volunteers to provide essential legal representation to the growing number of vulnerable Connecticut citizens who cannot effectively represent themselves. This proposed amendment also advances the policy set forth in Rule 6.1 of the Rules of Professional Conduct and in Article II of the CBA Constitution.**

**The proposed amendment would add the following to Rule 5.5:**

***(d) A lawyer admitted in another United States jurisdiction, who is not disbarred or suspended from practice in any jurisdiction, may participate in the provision of any and all legal services pro bono publico in Connecticut offered under the supervision of an organized legal aid society or state/local bar association project, or of a member of the Connecticut bar who is also working on the pro bono representation.***

- 3) Is draft regulation, legislation or proposed bill included?

**Yes**

- 4) What is the date of any legislative hearing, if known?

**N/A**

- 5) Was this position previously approved by the CBA? If so, when does/did it expire?

**No**

- 6) Is the CBA section or committee seeking to join a previously approved CBA section or committee position?

**No**

- 7) Potential or actual CBA opposition from another CBA section or committee?

**No**

- 8) Strength of section position (including process and results of section vote taken on issue):

**The Pro Bono Committee unanimously approved the proposed request, as did the Ethics Committee.**

- 9) Fiscal impact (on the state):

**None**

- 10) Are you seeking "fast-track" approval?<sup>1</sup>

**Yes**

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<sup>1</sup> A "fast track" recommendation will be submitted to the House of Delegates (HOD) or Board of Governors (BOG) at its next scheduled meeting (or, if between meetings of the HOD or BOG and during the legislative session, to the Executive Committee), and is warranted only when the Legislative Policy & Review Committee concludes that further analysis and study is unnecessary and where there is legitimate time pressure to address pending legislation.