

Connecticut Bar Association
Annual Report
2010–2011

of Sections, Committees, and Task Forces

Connecticut Bar Association

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2010–2011

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Annual Report of the President

Ralph J. Monaco
June 14, 2011

The Connecticut Bar Association remains a strong and vibrant association of professionals committed to our core purpose of advancing the administration of justice and providing professional development to our members. Although we had a slight reduction in members over this past Bar Year, which we attribute to economic forces and changes in the profession, the association has increased its effectiveness in many different areas. Financially, the association ended the year stronger than the year before. We continued to work collaboratively with the Judicial Branch over the past year, and co-sponsored several successful programs with the branch. We also had a number of legislative successes that are important to the practice of law. This report will outline some of the more important activities of the association during the last twelve (12) months.

We focused this year on including section leadership in the discussion of important issues to the Bar. Toward this end, on July 29, 2010, we held our first Section Roundtable Meeting at which officers, section chairs, and senior staff discussed key issues facing the Bar and the profession *to wit*, legislative priorities, minimum continuing legal education, certification of specialized fields of practice, and the governance of the association and its sections. On September 24, 2010, we held a leadership retreat, where we included not only section chair people, but also members of the Board of Governors and House of Delegates, along with committee chairs. At said retreat, we separated into breakout groups to discuss in greater detail the important issues noted above. We then conducted a plenary session during which each group summarized the discussions in the breakout group. As part of the effort to bring Bar leaders together to discuss important issues facing the Bar, we also held a President's Dinner on February 28, 2011, at which 17 past presidents attended. A photograph of the attendees was placed in the president's office at the CBA.

The CBA was very active in the past year pursuing a civics education initiative. We kicked off this initiative on June 4, 2010, by honoring retired United States Supreme Court Justice Sandra Day O'Connor, the first female in our nation's history to sit on our highest court. Justice O'Connor was most gracious to all of our guests, but in particular to the invited students consisting of the high

school and middle school mock trial winners, the civics essay contest winners, and the participants in a civics bee that we helped to organize at the Essex Elementary School. Justice O'Connor spoke about her tireless efforts to improve civic education in our nation's schools. She cited some sobering trends that show a large percentage of Americans lack a basic understanding of our form of government. Justice O'Connor appointed me as her Connecticut state captain for iCivics, an online resource that educates students and provides outstanding resources to teachers. We furthered our civics initiative by sending lawyers and judges into approximately 40 schools throughout Connecticut to speak about the U.S. Constitution on Constitution Day on September 17, 2010. Additionally, I created a Task Force on Civics Education in Connecticut, chaired by Past President Livia Defilippis Barndollar, which developed several substantive suggestions that will be implemented in the next year.

Moreover, the CBA held a Civics Education Training for Elementary School Teachers on April 5, 2011 in conjunction with Civics First, a organization dedicated to civics education. The CBA also held a significant Law Day program on May 3, 2011, that consisted of a re-enactment of the closing arguments in the Boston Massacre trial of 1770. Chief State's Attorney Kevin Kane argued for the government and Attorney Wes Horton argued on behalf of the accused soldiers. The jury consisted of the 12-member Mercy High School Mock Trial team, which won the state championships this year.

We also made significant strides during the past year regarding the structure of CBA committees and sections. I appointed a Committee on Section and Committee Oversight, chaired by President-elect Keith Bradoc Gallant, which studied the current section/committee system of the CBA. This committee is charged with studying CBA sections and committees to determine whether changes to sections and/or committees are appropriate, including but not limited to elimination, consolidation, and/or reclassifying a section as a committee or a committee as a section. The committee also was asked to determine whether the current section-servicing fee is fair and reasonable, and whether committees should be charged a similar fee. The committee gave a report to the House of Delegates in June 2010 recommending changes to our section/committee structure.

I appointed a Task Force on Certification of Specialization over the past year. This Task Force was chaired by CBA Vice-President Barry Hawkins and recommended criteria for evaluating applications by CBA sections to implement certification programs. In the future, the

House of Delegates will be able to use these criteria to evaluate applications for certification programs. Currently, the CBA runs such a program for the Workers' Compensation Section.

We had a busy year legislatively. With the first Democratic governor in 20 years, and a change in the leadership of the General Assembly Judiciary Committee, we interacted with several new key legislative leaders. I am pleased to report that we continued to build solid working relationships with many legislative leaders. Early in the legislative session, in January and February 2011, we met with key legislative leaders regarding issues such as a possible sales tax on legal services. I am pleased to report that any talk of such a tax on our clients was quickly silenced. Additionally, we supported legislation that would require disclosure of attorney liability insurance, which legislation did not pass. We did, however, see several pieces of legislation pass that are helpful to our sections. This legislation includes the following:

1. House Bill 6342, An Act Creating Jobs by Enhancing Connecticut's Corporate and Securities Laws, which was proposed and supported by the Business Law Section and Tax Section.
2. House Bill 6590, An Act Concerning the Connecticut Business Corporation Act, which was proposed and supported by the Business Law Section.
3. House Bill 6274, An Act Concerning Amendments to Article 9 of the Uniform Commercial Code Concerning Secured Transactions, which was proposed and supported by the Commercial Law and Bankruptcy Section and the Commercial Finance Committee.
4. Senate Bill 973, An Act Concerning the Determination of Undue Hardship for Purposes of Medicaid Eligibility, which was originally opposed by the Elder Law Section, but then supported as amended.
5. Section 5 of House Bill 6526, An Act Concerning Brownfield Remediation and Development as an Economic Driver, which was proposed and supported by the Environment Law Section.
6. House Bill 6488, An Act Concerning the Form of Conveyance of Land, which was proposed and supported by the Real Property Law Section.
7. House Bill 6599, An Act Concerning Discrimination, which was supported by the Human Rights and Responsibilities Section.
8. Sections 16 and 17 of House Bill 6650, An Act Implementing the Provisions of the Budget Concerning the Judicial Branch, Child Protec-

tion, Criminal Justice, Weigh Stations and Certain State Agency Consolidations, which the Children and the Law Committee proposed and supported. This bill concerns the appointment of guardians *ad litem* in juvenile cases and represents a partial passage of the bill proposed and supported by the CTLC.

9. Various budget bills such as a bill that will adequately fund the Workers' Compensation Commission, particularly the continuation of the Workers' Rehabilitation Services Program, which was supported by the Workers' Compensation Section.

Nationally, we also were involved in legislative efforts. We successfully opposed the "Red Flags" rule, which was abrogated by legislation. We also participated in encouraging Congress to extend federal insurance for IOLTA accounts through 2012. The CBA sent a delegation to Washington, DC in April 2011 for "ABA Days," during which we spoke to the Connecticut congressional delegation regarding funding for legal services and allowing states to intercept tax refunds from people with outstanding obligations to pay state fines. Additionally, we requested that Connecticut's U.S. Senators secure floor votes for nominees to the federal Bench. One such nominee, Judge Susan Carney, was appointed to the Second Circuit Court of Appeals. Parenthetically, the CBA Federal Judicial Committee reviewed Judge Carney in June 2010 and found her qualified for the position. Another nominee for the Second Circuit, Judge Christopher Dronney, is currently under review by this committee.

The CBA undertook a review of legal service providers. We have been under contract with Casemaker for the past approximate ten years, which contract expires in November 2011. After reviewing and analyzing the other legal services providers, a workgroup of the Membership Committee, chaired by CBA Secretary Steve Curley, recommended entering into a new contract with Casemaker for two years. The workgroup noted that the marketplace for legal research is rapidly changing and did not want to commit for any longer period of time.

We also worked on two initiatives that affect the practice of law. First, with respect to minimum continuing legal education, CBA officers met with officers and executive boards of other Bar associations in Connecticut to discuss moving forward on the CBA's MCLE proposal adopted by the House of Delegates in 2007. Second, we are pursuing a rule change to allow unbundled legal services, also known as limited scope representation. We plan to have

proposals to the Superior Court Rules Committee within the next year regarding both of these initiatives

The CBA completed a membership survey recently that provides insight into the priorities of our members. Our prior survey was conducted seven years ago. The information in the new survey will be useful in crafting programs that meet the needs of our members.

The CBA placed a strong emphasis on CLE over the past year. We held CLE in various locations around the state, a strategy that we believe is necessary to implement an MCLE program that is relatively “cheap and easy” for our members. Additionally, the Workers’ Compensation Section awarded CLE credits for its April 2011 monthly meeting, which also is a feature that is important for MCLE to work well for our members.

On the technology side, the CBA received accolades for its new Web site, although we had many issues with our member service software provided by Intus that consumed a significant amount of staff and officer time. After many months of enduring these problems we have a tentative agreement with Intus to significantly discount the software as compensation for the time and effort needed to address these software problems.

The CBA has been working on a new directory. In the past, the CBA directory has included only CBA members. After obtaining the names and addresses of all licensed Connecticut lawyers, the CBA is preparing a legal directory that will list all licensed lawyers, whether a member or not. This directory, which will be available electronically and by hard copy, should be available in late 2011.

In the final analysis, I am pleased to report that the CBA remains strong and vibrant as a statewide member service organization for the legal profession. We continued the proud tradition set by past leaders in taking the initiative on important issues that face the Bar. We have tried to build consensus on difficult issues, and remained steadfast in our opposition of legislative regulation of the profession. Our legislative priorities attest to this fact. The Bar plans to continue in its resolve to self-govern our profession. The work of our sections and committees remain the heart and soul of the Bar. Our future will depend on remaining true to our core values as attorneys committed to professional development, the rule of law, and the fair administration of justice to all people.

Section Reports

Alternative Dispute Resolution Section

Roy L. De Barbieri, Chair

Purpose

The section is charged with increasing the awareness of dispute resolution practice within the Bar and the general public, promoting the talented dispute resolution neutrals and advocates in Connecticut involved in the field of dispute resolution, acting as a resource to the courts and others regarding dispute resolution, and improving the availability and quality of dispute resolution services.

The goals of the section as stated in its bylaws are:

1. Increase awareness of alternative dispute resolution (ADR) within the Bar and the general public through seminars, publications, and other means
2. Promote communication among lawyers and others involved in the ADR field
3. Serve as a resource to the courts and others regarding information and ideas about ADR
4. Improve the quality of ADR services to lawyers and parties to disputes
5. Encourage members of the Bar to serve as neutrals in various ADR settings
6. Promote such other legal and equitable programs as the section or the Connecticut Bar Association see fit

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Meetings

The section met as an entire group on September 22, 2010; November 17, 2010; February 9, 2011; April 6, 2011; and June 8, 2011, at the Graduate Club, New Haven, CT, because of its central location to all section members in the state.

Executive Committee Meetings

All section meetings were followed by executive committee meetings to address issues of business for the section.

CLE

The Alternative Dispute Resolution Section was very active throughout the Bar Year 2010–2011. The primary focus remained on education and information programs,

working with the Connecticut Bar Association CLE Program. We presented three CLE programs to the Bar. Program topics included the use of ADR within the health-care field, styles of mediation, cost saving in arbitration and drafting of ADR clauses in transactional agreements. The section sponsored a program in partnership with CBA, AAA, JAMS, and the College of Commercial Arbitrators, presenting the national traveling program “Managing Your First Arbitration” to over 65 participants also from New York, New England, California, and Chile at the Connecticut Bar Association building in New Britain, Connecticut. Also, the section presented a CLE program—“ADR 101: What You Don’t Know About ADR Can Hurt You”—on September 14, 2010. Attendance was more than 45 people. Later, on May 4, 2011, the section presented, with the CLE program, the seminar “An Arbitration Grand Slam, Re-establishing the Goals for Quicker, Cheaper, Better Protocols for Corporate and Transactional Counsel” at the Hyatt Hotel in Old Greenwich to afford an outreach by the Bar CLE program to Fairfield County and Westchester County lawyers, arbitrators, and business leaders. Attendance was over 35 and well received.

The section formed a new Promotion Subcommittee this year to more fully carry out the objective of making the public, including business and community groups, more aware of the use and advantages of Connecticut’s well-trained dispute resolution professionals. The Promotions Subcommittee will be making contact with those groups, and otherwise engaging in activities to raise awareness of efficient dispute resolution processes. To that end the section was a sponsor of the New England NE-ACR Program on Mediation.

The section is active in legislative matters, particularly in and advocating for adoption of the Uniform Revised Arbitration Act on behalf of the CBA. A subcommittee of the section works actively with groups potentially interested in the legislation in the continuing effort to build consensus around its enactment. Although the RUAA Bill did not get out of legislative committee this year, the Promotion and Writing Subcommittee has committed to creating articles for *Connecticut Lawyer* magazine and others, which will come out this summer explaining to the legal community the needs for amendments to the existing statutes on arbitration in Connecticut.

Throughout the year, section members continue to initiate and promote discussion of the application of evolving ADR processes within various venues and fields, including the courts, construction, and healthcare.

Publications

The section was successful in creating an expanded Web site for the section along with periodic e-mail newsletters to all members of the section through the assistance of the Web site subcommittee members.

Legislative Efforts

The section participated with the Bar Association leadership and lobbyists to promote the passage of the Revised Uniform Arbitration Act, which did not come out of Legislative Committee this year. Efforts will continue.

Business Law Section

Henry M. Beck, Jr., Chair

Purpose

The purpose of the Business Law Section is “to promote the educational and professional objectives of the Connecticut Bar Association within the general field of business organization law including, in particular, partnership law, stock and non-stock corporation law, and securities law.” See Section 2.2 of the bylaws of the Business Law Section. In furtherance of this purpose, the section conducts monthly meetings that are open to the entire membership of the section. At each monthly meeting, the section endeavors to present a program of topical interest to its members, often with guest speakers. The section also monitors local, regional, and national developments affecting the business laws of the State of Connecticut and, from time to time, proposes legislative initiatives designed to keep pace with those developments. Finally, the section serves as a resource to the legislature on business and securities law matters.

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Officers

The following persons served as officers of the section during 2010–2011: Henry M. Beck, Jr., chair; John H. Lawrence, Jr., first vice chair and legislative liaison; Kenneth B. Lerman, treasurer; and Matthew Teich, acting secretary. Committee chairs and co-chairs were John H. Lawrence, Jr., Corporations Committee; Edward B. Whittemore and Peter Bilfield, Securities Law Committee; Mark G. Sklarz and Marcel Bernier, Partnerships and Other Pass-Through Entities Committee; and Melinda

Agsten and Jack Horak, Nonstock Corporations Committee.

Meetings

The Business Law Section again offered informative programs at our regular monthly meetings. The programs and the attorneys and other professionals presenting them included: Recent Changes to the Connecticut Business Corporation Act and Model Business Corporation Act (David Golden); An Introduction to the Model Entity Transactions Act (Mark Sklarz, Jon Hirschhoff, Marcel Bernier, Garry Attmore, and Matt Gaul); The Dodd-Frank Act (Edward Whittemore, Peter Bilfield, Eric Brunstad); LLC Strategies (Richard Convicer and John Lawrence); Buying and Selling Public Companies—Lessons Learned from ABA 2010 Deal Points Study (David Albin, Aieleen Meehan, and An-Ping Hsieh); and M&A Trends 2011—The Investment Bankers’ Perspective; A Discussion with Investment Bankers (Henry Beck, Michael Carter, James Murphy, and Alan Canzano). The section had a joint meeting with the Tax Section in November to consider and determine to introduce and lobby jointly for the adoption Model Entity Transactions Act by the Connecticut General Assembly. Another meeting highlight this year was the opportunity to meet and have an informal conversation with the state’s new attorney general, The Honorable George C. Jepsen.

Legislative Efforts

The legislative arena drew much of the executive committee’s attention this year as the section proposed a bill to update the Connecticut Business Corporation Act. The section regularly proposes legislation to keep the Connecticut Business Corporation Act current with changes in the Model Business Corporation Act. The Business Law Section and the Tax Section also proposed adoption of the Model Entity Transactions Act, a junction box statute for inter-entity mergers, equity exchanges, conversions, and re-domestications. The section also continued to be an active participant in the Connecticut Bar Association’s evaluation of legislation concerning the unauthorized practice of law.

Other Activities

Further this year, an ad hoc committee of the executive committee comprised of the current and a number of past chairs as well as Matt Gaul, Esq., as reporter, reviewed the section’s bylaws and has proposed an updating amendment and restatement thereof. The proposed changes have been endorsed in principle by the executive committee and a special meeting of the section on May 31, 2011, has been called to consider their adoption. In addition, several section members, including David Swerdlov, And-

rew Glassman, and John Lawrence as well as Lou Schatz from the Tax Section, presented a program sponsored by the CT Bar Institute entitled “A Lawyer’s Guide to Drafting Corporate and LLC Organizational Documents.”

Construction Law Section

Steven B. Kaplan, Chair

Purpose

The purpose of the Construction Law Section is to enable CBA members who practice in the construction law field to interact in a non-adversarial context, and discuss current issues affecting their common practice area as well as to educate section members on developments in this sometimes rapidly changing area of the law. The section also provides a forum for practicing attorneys to interface with industry groups and individuals involved in the construction industry, and to foster relationships on both an individual and group basis.

Annual Report

Programs and Events

In 2010–2011, the Construction Law Section continued its long-standing tradition of presenting informative programs to its members and to the construction industry at large.

On September 29, 2010, the section sponsored its third annual program in association with the Construction Management Department at Central Connecticut State University in New Britain. Comprised of section members, the chair and panel of experienced construction arbitration counsel discussed “Keeping Construction Arbitration from Morphing into Litigation.” The dinner meeting also was attended by most of the graduate students and several faculty members from the CCSU Construction Management Program as well as a number of representatives from the American Arbitration Association and the Alternate Dispute Resolution Center.

About ten years ago, the section established a scholarship fund at CCSU to benefit undergraduate students in the Construction Management Program. The section is pleased that it has been able to once again enhance the available scholarship money, and to enable the university

to provide scholarships sponsored by our section to two students in the current academic year.

On Wednesday, November 17, 2010, the section presented a program entitled: “Trying Complex Construction Cases: The View from the Bench.” Two Connecticut judges, Hon. Christopher F. Droney, U.S.D.C., and Hon. Eliot D. Prescott, Superior Court, sat on the panel and presented a lively, extremely well-received discussion. The dinner program was well attended by section members.

On March 15, 2011, several section members presented a dinner program entitled “Getting Paid on Construction Projects: Legal Issues.” The program was well-received and was well attended by section members.

Publications

Carrying on another longstanding and extremely valuable annual project, the section once again produced (May 2011) its annual Case Law Summary, detailing important court decisions and legislative developments that affected the construction industry in Connecticut during 2010. These extensive written materials, compiled and edited by about 20 section members, again were made available online as a resource for all section members. On May 11, 2011, the section conducted its annual seminar based on these materials at CCSU. Changing our format slightly from past years, the section presented a “highlights” version at a dinner meeting, and again invited the CCSU Construction Management Program students and faculty to attend. The panelists summarized the critical court rulings and key legislation from 2010.

Criminal Justice Section

Hope C. Seeley, Chair

Purpose

The purpose of this section shall be to promote objects of the State Bar Association of Connecticut within the field of the administration of criminal justice.

Annual Report

Meetings

The Criminal Justice Section has held numerous dinner meetings throughout the year in order to explore and discuss issues relevant to the field of the administration of

criminal justice. Speakers and topics that have been presented or are scheduled include the following:

- Madelon Baranoski, Ph.D. and Traci Cipriano, J.D., Ph.D., Yale School of Medicine, Department of Psychiatry, “How Will the New Version of the DSM (now called DSM V) Differ from DSM IV? What Is Involved and What to Expect from Psychological Testing? How Best to Work with the Expert Psychologist?”
- Chief State’s Attorney Kevin T. Kane, Chief Public Defender Susan O. Storey, and Deputy Chief Public Defender Brian S. Carlow, “The 2011 Legislative Session: A Preview.”
- Michelle Cruz, Esq., Office of the Victim Advocate, “The Office of the Victim Advocate and Its Role in the Criminal Courts.”
- Leo C. Arnone, Commissioner of the Department of Correction, “Challenges At The DOC: Protecting the Public, Protecting the Staff, and Providing Safe, Secure, and Humane Supervision of Offenders with Opportunities that Support Restitution, Rehabilitation, and Successful Community Reintegration.”

The Criminal Justice Section and the Health Law Section are co-sponsoring the following program at the Annual Meeting on June 23, 2011:

- “Navigating the Intersection of Civil and Criminal Health Care Enforcement in the Aftermath of PPACA and the Health Care Reform Act: A Practical Guide.” The Program co-chairs are Alan J. Sobol, Pullman & Comley LLC and David M. Mack, Shipman & Goodwin LLP. Panelists will include Robert B. Teitelman, Assistant Attorney General; Christopher T. Godialis, Office of the Chief State’s Attorney; Jennifer Willcox, Deputy General Counsel, Yale New Haven Health System; David Sheldon, Assistant United State’s Attorney; and, Richard Molot, Assistant United State’s Attorney.

Elder Law Section

Sharon L. Pope, Chair

Purpose

The purpose of the Elder Law Section is to bring together those CBA members practicing in the elder law field or who are interested in the legal problems of the elderly. Discussion of current issues affecting this practice area, education of the section membership and the general public on legal issues involving the elderly, and fostering relationships among attorneys who practice in this field are primary purposes of this section.

Annual Report

Officers

Sharon Pope, Chair
Kevin Brophy, Vice-chair
Peter Boorman, Treasurer
Lois Andrews, Secretary

Members of the Elder Law Section have in 2010–2011 engaged in a multitude of activities designed to further enhance the practice of this area of law and improved the lives of those we represent, including substantive monthly educational presentations, continuing legal education, appointment of work groups to address topics of interest and concern, regulatory and legislative advocacy efforts, and community education.

Consistent with its prior practice, the section continued to open its monthly meetings to the entire membership. (All meetings are noticed as executive committee meetings for voting purposes under the section’s bylaws.) Recognizing the need to (1) equip members on major changes in Medicaid law, (2) involve members in this year’s transition to the new structure of the probate courts, (3) address issues concerning advance directives and powers of attorney, and (4) keep abreast of the evolution in long-term care policy toward community-based care and (5) devote some resources to assist Veterans in need of free estate planning, and (6) discuss and decide issues regarding elder law as a specialized practice area under the Rules of Professional Responsibility. The 2010–2011 topics have included:

- presentations by section members on the Department of Social Services’ (DSS) proposals to amend the Uniform Policy Manual to reflect

changes in federal law made by the Deficit Reduction Act of 2005 (DRA)

- a presentation by Kate McEvoy summarizing the legislative acts from this session
- a presentation by section members participating in the newly-formed Power of Attorney workgroup, chaired by Lois Andrews, concerning the Uniform Act
- a presentation by a section member, Deborah Tedford, on, “The Trust about Your Client’s social security benefits
- a presentation by a section member, Wade Jensen, on “Veteran’s Benefits-increase the value of your practice”
- a presentation on document retention best practices by Kelly Peck
- a presentation by Greta Solomon, on “Avoiding Conservatorship through defensive practice methods
- a presentation by Dawn Lambert, director of Money Follows the Person Program: An Update
- Presentations by section workgroup members on specialization and certification of elder law

Materials from these presentations have not all been posted. This is an area for improvement and clarification for next year. It will likely be the secretary’s responsibility to see these are posted.

Expanding the reach of the section’s educational activities, the Continuing Legal Education (CLE) Committee, co-chaired by Laurel Mangan, Deborah Hadaway, and Joy DeFelicce, planned a very successful program “Be Prepared for the Unexpected” on March 18, 2011. This was a very successful program.

At the annual meeting, the section will be sponsoring a two-hour program to cover a Legislative Session Wrap-up and a special presentation by a national guest speaker, Attorney Rene Riexach, on Federal Preemption followed by a section reception.

Section members have also given generously of their time to further several standing work groups, including:

DRA Workgroup

This group was first established in Fall, 2006 addressed implementation of the Deficit Reduction Act of 2005 (DRA) by presenting synopses of the law, liaising with DSS, and leading the advocacy effort before the legislative Regulations Review Committee. This year these continuing efforts have been led by Whitney Lewendon and Ju-

dith Hoberman. Members of this group have included Stephen Allaire, Lois Andrews, Julia Brown, Lisa Davis, Mark Dost, Richard Fisher, Steven Floman, Lea Nordlicht Shedd, Amy Todisco, and Sandra Sherlock-White.

As noted above, section members continue to invest substantial advocacy time focused on the DRA-related revisions to the Uniform Policy Manual that were proposed by DSS. We have been invaluablely assisted in that effort by outside lobbyist Bob Shea, whose contract had been extended with permission of the CBA to assist the section in this important advocacy effort. This effort resulted in the rejection of proposed DSS regulations by the Regulations Review Committee of the legislature, and efforts are continuing so that the final regulations comport with law.

Power of Attorney Workgroup

The workgroup formed last year to address issues concerning Powers of Attorney and is chaired by Lois Andrews and included members Suzanne Brown-Walsh, Richard Dixon, Joelen Gates, Wendy Borawski, Agnes Orłowski, and Thomas E. Gaffey. The workgroup is recommending the adoption of the Uniform Power of Attorney Act (UPOAA) and is working its way through the UPOAA to adapt the language to Connecticut. They hope to present the revised act to the Legislature in the 2012 session.

The Probate workgroup

Chaired by Sandra L. Sherlock-White, this workgroup continued to monitor the implementation of the historic restructuring and reform of Connecticut’s probate system which finally went into effect on January 5, 2011. Public Act 09-114 required that the courts be redistricted and consolidated in a three step redistricting process. The final product reduced the number of probate districts from 117 courts to 54 courts as of January 5, 2011. In addition the Act requires that newly elected judges be attorneys, and that all courts be open 40 hours per week. The Act also requires that the financial operations of the courts be centralized. Judges’ salaries were set on the basis of population and workload, and a uniform compensation and benefits plan for court staff was established. The workgroup was in contact with Probate Administration regarding the developments of the redistricting and reform. Reports were made to the Elder Law Section as to those developments.

The Probate Workgroup also monitored and engaged in advocacy in regards to relevant legislation including the third year’s effort to enact “An Act Concerning the Connecticut Uniform Adult Protective Proceedings Jurisdiction Act. “ This Act was put forth by the Estates and Pro-

bate Section guided by the leadership of Suzanne Brown Walsh, a Uniform Laws Commissioner. The Act was raised as SB 1053 by Senator Paul Doyle. Written and oral testimony was given in support of the Act by Sandra Sherlock White at a public hearing held by the Judiciary Committee. The Act was supported by the Elder Law Section, legal services, Probate Administration, and the Alzheimer's Association which took a strong and effective position in support of the Act. When concerns regarding the draft language of the Act were raised by the Legislative Commissioner's Office, the workgroup and other stakeholders engaged in intensive efforts to reach compromise language. It is anticipated that the Act will pass this legislative session having currently passed the Consent Calendar in the Senate.

The Probate Workgroup also monitored legislation proposed by Probate Administration including Raised Bill 6438 "An Act Concerning Probate Court Operations." Section 17 of this bill would have conferred broad discretion to the courts of probate to require an accounting by a trustee or settlor of an inter vivos trust or an attorney-in-fact upon the request of any person whom the court deems suitable to represent the interests of the settlor or grantor of the power of attorney. The Workgroup engaged in discussions with Probate Administration, legal services, and the Estates and Probate Section in regards to Section 17 of the Raised Bill. Both the Elder Law Section and the Estates and Probate Section opposed this section of the legislation. Following these discussions and advocacy efforts, Probate Administration withdrew this section of the Bill with the understanding that the issues and concerns would be studied and explored further through the workgroup examining passage of the Uniform Power of Attorney Act led by Lois Andrews.

A joint seminar was given by the Elder Law Section, Connecticut Probate Assembly and Estate and Probate Section on September 16, 2010 entitled "Potpourri of Practical Tips." Several members of the Elder Law Section were speakers including Sharon Pope, Mark Dost, Donna Levine, and Sandra Sherlock White.

Legislative Workgroup

Legislative and regulatory advocacy remains a strong emphasis of the section. In addition to tracking and synthesizing bills of interest and concern to older clients and their caregivers, the section was very active in the 2011 session in pursuing its priorities. Aably led by Vice-chair and legislative liaison Kevin Brophy, along with Legislative Committee members Steve Allaire, George Bickford, Peter Boorman, Julia Brown, Whitney Lewendon, Paula

Boa Sousa, and Sandra Sherlock-White, these efforts centered on concept positions approved by the CBA:

1. support for legislative measures that increase the availability of homecare services to the elderly and disabled populations
2. oppose legislation that would change Medicaid resource rules for married couples facing long-term care and lead to more community spouses becoming impoverished
3. oppose legislation that would change the Medicaid transfer of asset policy by eliminating a "partial return" rule and replacing it with a "full return" requirement and which would also authorize DSS to delay the start date of a penalty by treating assets in the possession of a third party as available to an individual applicant even though the assets were not actually available to the applicant
4. advocate for adoption of the Connecticut Uniform Protective Proceedings Guardianship Act
5. resist ill conceived legislation that would expand the state's recovery for medical assistance on life uses

During the 2011 session, Section members presented written and oral testimony at the legislature on bills that arose concerning these concept positions, and met with key legislators with CBA legislative liaison Bill Chapman. In addition, the Section commented and negotiated on Probate Administration legislation, including removing language that would expand who could request a financial accounting from the Probate Court.

As noted above, in the DRA workgroup report, section members continue to invest substantial advocacy time focused on the DRA-related revisions to the Uniform Policy Manual that were proposed by DSS. In 2009, these regulations were rejected by the Legislative Review Committee, since they did not comply with federal law. In 2011, our section opposed DSS proposals on DRA-related revisions that failed to comply with federal law and supported DRA-related legislation that would provide better protections for individuals who need long term care and have been denied medical assistance due to the imposition of a penalty (lead to an undue hardship).

Bylaw workgroup

The bylaw workgroup was chaired by Rebecca Hajosy and Agnes Orłowski. The section discovered that the most recent bylaws were 1993. There were revisions in 2002 but no approval from the House of Delegates could be found in the records. Updating and clarifying issues was the

primary tasks, allowing ad hoc and steering committees and notification/voting by electronic means. These changes were voted on and approved by the executive committee of the section on May 17, 2011 and are set to be voted on by the HOD on June 20, 2011.

Certification and Specialization Study Group:

The Elder Law Certification and Specialization Study Group reported its findings at the November 16, 2010 Section meeting. The group prepared, with assistance from Whitney Lewendon and Lea Nordlicht Shedd, a revised definition of the practice of Elder Law at the December 14 meeting, which was approved by the Executive Committee. At the same meeting, the Executive Committee also voted in favor of amending Rule 7.4A (e) of the Rules of Practice to include Elder Law, as defined in the previously passed motion, as a field of practice for which attorneys may be certified as specialists in CT. The group was facilitated by Charles Stauffacher, with members Sandra Sherlock-White, George Bickford, Joy DeFelice and Fred Sette.

(In 2010, the Section began addressing a request now pending before the Rules Committee of the Superior Court by the Connecticut Chapter of the National Academy of Elder Law Attorneys (CT NAELA). The request seeks to amend Rule 7.4(e) of the Rules of Professional Conduct to define elder law as a field in which an attorney may be certified as a specialist. After having been contacted by Justice Peter Zarella to determine the CBA Elder Law Section's interest in this matter, the Section decided to take a position. A study group was formed (led by Charles Stauffacher, with members Sandra Sherlock-White, Joy DeFelice, George Bickford, and Fred Sette), which will report back to the Section in the Fall of 2010, after completing research and gathering feedback from Section members through round-table discussion and e-mail outreach.)

Estates and Probate Section

Peter T. Mott, Chair

Purpose

This section focuses on Connecticut practice affecting Wills, estates, trusts, guardianship, conservatorship, property interests of spouses, transfers of property, powers of

attorneys, and living wills, as well as the impact of gift, inheritance, estate, and income taxes.

Annual Report

The executive committee of the section, consisting of 50 members plus ex officio members, met monthly from September through May. In addition, three of those meetings were open meetings that any section member could attend. Most of our meetings took place on the first Monday of the month and most were held at the Quinnipiac Club in New Haven.

We have continued with a very active CLE component to all of our meetings. For our open meetings, we heard from: Peter Gordon, an attorney in Delaware who spoke about the advantages of setting up trusts under Delaware law today; Turney Berry, a nationally known speaker who addressed new developments in the area of fiduciary liability cases; and a panel of our own members (Carolyn Reers, Rich Marone, Bryon Harmon, Heather Rhoades, and Dan Daniels) gave a presentation on the new estate tax law that has created many issues for practitioners. We also had a presentation from representatives from JPMorgan Chase on the topic of planning for estate tax payments. As usual, many other members of the executive committee willingly gave their time to make presentations at the rest of our meetings. These presentations included such topics as planning for vacation properties, highlights from the annual meeting of the American College of Trust and Estate Counsel, and generation skipping planning. We also heard from Probate Court Administrator Judge Paul Knierim and had a discussion with him about continuing changes in the probate courts (at a meeting attended by Barry Hawkins, CBA vice-president.)

Throughout the year, John Ivimey led a dedicated committee that revived our efforts to seek legislation adopting the Uniform Trust Code (UTC) in Connecticut. Their work included a full review and some revision of our prior proposal. In addition to engaging our full committee in discussion of the UTC proposal, they spoke at length with other groups with an interest in such legislation. Although the proposal was not adopted by the legislature in this session, we think that significant progress was made toward that goal this year.

In addition, the section was involved with several CLE programs available to all practitioners, including strongly attended sessions on the preparation of probate accountings and a joint program with Probate Court Administration on a variety of topics of interest to practitioners and judges. At the CBA An-

nual Meeting in June, we will co-sponsor a program with the Tax Section on the new tax act and a couple of our members will join with the Young Lawyers Section on a program dealing with the basics of estate administration.

We have put a major focus on CLE and I would like to thank the co-chairs of our committee, Carolyn Reers, Laura Beck, and Heather Rhoades, along with Kelley Peck and Chris Drew for all their work.

Under the leadership of George Smith and Jim Funnell, we published two more issues of our newsletter this year and hope to continue to do so in the future. Rather than mail hard copies, we are making the newsletter accessible on the Web site with an e-mail to section members letting them know that a new issue has been posted. Len Leader put together a draft of a pamphlet designed for lay people concerning the use of pet trusts in Connecticut under the new statute, which is a subject matter that has resonated with the general public, based on media reports. The pamphlet is available from the CBA office. With Sharon Pope's leadership, committee members volunteered to help with a project to assist needy veterans with the preparation of Wills and related documents, and the committee allocated some of its budget to lend financial support.

On the legislative front, aside from UTC, we expect that our efforts to enact the Uniform Protective Proceedings Guardianship Act will bear fruit in this legislative session along with a technical but important change to the Connecticut disclaimer statute to conform it with changes to the federal gift tax laws. We have also advocated some technical changes to the Connecticut estate tax, but those have not had any traction.

This will be the last annual report that I submit. John Ivimey is the new chairman of the Estate and Probate executive committee. It has been my privilege to act as chair for two years of this section comprised of dedicated and collegial practitioners.

Federal Practice Section

Anne Louise Blanchard, Co-chair
Gary Klein, Co-chair

Purpose

The Federal Practice Section is involved with all aspects of practice in the federal courts in Connecticut. Working

closely with the federal judges, who are *ex officio* members of the executive committee, this section provides a forum for consultation and dialogue between the federal Bar and Bench on issues of mutual interest, including rules and practice in the federal courts and relevant legislation. Through its committees, the section takes an active role in shaping and commenting on legal and procedural developments affecting federal practice.

Annual Report

The section held its first executive committee meeting on September 14, 2010. We heard comments on the District from the Chief Court Clerk Robin Tabora regarding improvements in electronic filing. The section was notified that the CBA has approved our pending bylaws, discussed developing local patent rules, and noted the appointments of Vaughan Finn as section secretary and Robert Frost as section treasurer.

The section held its biennial Bench-Bar Conference at St. Clement's Castle on October 8, 2010. The principal panels at the conference were discussions of same-sex marriage, military tribunals, and the relationship between main Justice and the United States Attorney's Connecticut office, each by panels of national experts. The court also presented a series of awards, recognizing work done by practitioners for the court.

On November 10, 2010, we held an executive section meeting. The executive committee section discussed proposed changes to Local Rule 83 (visiting lawyer admission) and the new Public Outreach Committee. The executive committee agreed to ask the full section to adopt non-binding resolutions regarding *cy pres* awards being made to the Connecticut Bar Foundation/legal aid organizations.

On February 15, 2011, we had another full section meeting. During that meeting, Judge Kravitz, (chair of the Advisory Committee on Rules of Civil Procedure), Paul Sanson, Frank Silvestri, Patrick McHugh, and Anne Louise Blanchard conducted a forum on the pleading standards in federal court after *Ashcroft v. Iqbal*.

On March 15, 2011, we conducted a full section meeting jointly with the Antitrust and Trade Regulation and Consumer Law Sections at which Julie Brill, Federal Trade Commissioner, addressed the sections on the impact of the Dodd-Frank Act.

On April 12, 2011, we held an executive committee meeting and discussed changes to the District's local rules

and the possible adoption of local patent rules. We also discussed the public outreach efforts of the District Court and the status of pro bono assignments.

On May 17, 2011, we held our final working section meeting of the year and heard a presentation by Deputy United States Attorney Deirdre Daly about the current priorities of the United States Attorney's office.

The section's June meeting will be its traditional year-end wrap-up social event at Pine Orchard on June 7, 2011. We invite all of our judges and their spouses and clerks to be the section's guests for a relaxing, business-free evening. Chief Judge Thompson will be presenting some awards on the court's behalf.

The section will present a CLE program on discovery disputes at the CBA Annual Meeting on June 23, 2011 .

The officers of the section for the past year were Anne Louise Blanchard and Gary Klein, co-chairs; David Schaefer, vice-chair; Vaughan Finn, secretary; and Robert Frost, treasurer. The section also had active subcommittees that undertook a number of projects on behalf of the section. Committees and their respective chairs were Civil Practice/Local Rules, Patrick McHugh; Court of Appeals, David Schaefer; Criminal Practice, Brian Spears; Education and Programs, David Atkins; Legislation, Peter L. Costas; and Bench-Bar Conference, David Atkins.

Health Law Section

David M. Mack, Chair

Purpose

The purpose of the Health Law Section is to provide a forum for CBA members with an interest in the law pertaining to healthcare. The section addresses issues such as the provision of and reimbursement for healthcare services, the regulation and licensure of healthcare providers (including institutional), medical malpractice and legislative proposals concerning these and related fields. The section will encourage and participate in joint meetings and other activities with various sections and committees for discussion of matters of mutual interest. In addition, the section will provide a forum in which inter-professional cooperation can be advanced.

Annual Report

The section continues to meet periodically to educate its members and to address areas of concern in the field of healthcare law. Members receive bills of interest being considered by the Connecticut General Assembly. Members have had the opportunity to attend meetings of various sections on topics including reimbursement litigation and changes in the certificate of need process. The section is presenting jointly with the Criminal Law Section at the 2011 CBA Annual Meeting on the intersection of civil and criminal health care enforcement after healthcare reform. Upcoming meetings are currently being scheduled to address nurse consultants in healthcare litigation, accountable care organizations, and other healthcare reform issues. In the coming year, we will continue to follow health law matters of interest to section members.

David M. Mack of Shipman & Goodwin LLP is the chair of the Health Law Section. If you have any questions or suggestions regarding topics for future meetings please call Attorney Mack at (860)251-5058.

Insurance Law Section

Charles T. Lee, Chair

Purpose

The purpose of the section is to promote the educational and professional objectives of the Connecticut Bar Association within the general field of insurance law, regulation, and practice.

Annual Report

Pursuant to the Constitution of the Connecticut Bar Association and Section 3.6 of the bylaws of the Insurance Law Section of the Connecticut Bar Association (the "Section" or the "ILS"), the section respectfully submits its Annual Report for FY 2011.

Section Meetings

The section met three times in FY 2011, each time in conjunction with a CLE program. The section's new bylaws permit attendance by teleconference. The meeting dates were:

- October 12, 2010, in New Haven
- February 8, 2011, at UConn Law School, Hartford
- March 22, 2011, New Haven

Executive Committee Meetings

The executive committee met four times in FY 2011, all at CBA headquarters in New Britain. The bylaws permit attendance by any section member and attendance by teleconference is permitted. The meeting dates and highlights were:

- September 13, 2010—Officers confirmed: Charles Lee, chair; Michael McCormack, vice-chair; Regen O'Malley, secretary; Marilyn Fagelson, treasurer. The executive committee decided that our CLE programs for the year should each focus on a different area of insurance law, featuring a panel of experienced practitioners or jurists, in addition to the annual year in review program. Marilyn Fagelson agreed to chair the CLE Committee. A committee including Attorneys Jennifer Black Strutt and Christopher Gallagher was appointed to prepare the periodic Insurance Caselaw Updates.
 - November 16, 2010—Jay Arcata was appointed chair of the Legislation Committee. The resignation of Commissioner Sullivan was noted.
 - January 26, 2011—The EC discussed the formation of captive insurance companies in many states other than Connecticut, despite favorable legislation adopted in 2008. The EC decided to waive the fee for attendance and dinner for UConn Law students attending the upcoming D&O program at the Law School. The executive committee also discussed areas of potential improvement in the operations of the Connecticut Department of Insurance.
 - May 24, 2011—The executive committee agreed to hold a reception for section members at the CBA Annual Meeting. It approved a CLE program at the Annual Meeting concerning declaratory judgments. Panelists will include Fran Brady, Stuart Rosen, Mike McCormack, and Regen O'Malley. Moderators will be Peter Kochenberger and Charles Lee. The EC also decided to continue the CLE program, focusing on a different area of insurance law at least three times a year, in addition to the annual year in review program.
- September 13, 2010—**Year in Review Program.** Insurance Commissioner Thomas Sullivan, with Policy Director Mark Franklin, spoke about the year's regulatory developments, including the insurance implications of the new Dodd-Frank Act, and about his recommendations for future improvements. Attorneys Jeff Vita and Ed McCreery presented an update on the year's insurance caselaw developments.
 - February 6, 2011—**Directors and Officers Coverage Program.** A very well-attended dinner meeting discussing the basics and current issues in D&O coverage featured a panel consisting of Attorneys Rhonda Tobin, Ted Stein, and Sean Fitzpatrick, moderated by Director Peter Kochenburger.
 - March 22, 2011—**Fire Loss and Appraisal Procedure.** Another well-attended program was led by Attorneys Jon Biller and Steve Rogers, and Judge Terence Zemetis. It focused on the appraisal process commonly required in fire policies. Quite a few adjusters joined us for the evening.

Publications

The section circulates caselaw summaries to all section members, generally on a quarterly basis. The summaries are posted on the ILS Web page on the CBA Web site. We have been working with CBA Webmaster Kyle Sargalski to make those summaries searchable, thereby creating a useful database for practitioners in the field.

Legislative Efforts

We receive regular reports from our Legislative Committee about ongoing legislation, but the section took no action this year with respect to any pending legislation.

Other Programs and Events

The three section meetings, four executive committee meetings, and the ILS presentation at the Annual Meeting constitute our formal activities. As mentioned above, the ILS will be hosting a cocktail reception for its members before the annual CBA dinner.

Permitting attendance by telephone has not produced too many additional attendees, but has been welcome during some of our typical Connecticut winter days. Along those lines, we look forward to the CBA staff's efforts to facilitate Webinars and other forms of remote attendance so that our member and others can benefit from our CLE programs, even if they cannot attend on a given evening.

Continuing Legal Education Programs

The section staged three programs, with a fourth scheduled for the Annual Meeting, as follows:

In conclusion, I believe the ILS has had a successful year. I am grateful to the officers and executive committee and other volunteers for their helpful and collegial assistance. It has been a pleasure serving together.

Intellectual Property Section

Amy Span Wergeles, Co-chair
Elizabeth A. Alquist, Co-chair

Purpose

Intellectual property—patents, trademarks, copyrights, licensing, trade secrets, unfair competition, domain names, and other technology-related areas of the law—is a topic that arises in most corporate deals, in many businesses, and in a great deal of litigation. The Intellectual Property Section of the Connecticut Bar Association addresses the problems of the legal protection of intellectual property, strives to keep its members fully informed and engaged in the latest developments in the protection of intellectual property rights, and works with the U.S. Patent and Trademark Office, the U.S. Copyright Office, and the courts to encourage improvements in the patent, trademark, and copyright systems. The section provides continuing legal education programs, activities for members, comments to governmental agencies in the field of intellectual property, and services to inventors, business owners, authors, and the public. Our members include private practice, in-house, association, and government practitioners, with practices spanning the full range of intellectual property law. Novices and skilled practitioners alike, from law students to solo practitioners to those in patent boutiques to 300 or more attorney firms, are invited to take advantage of the section's programs and activities.

Annual Report

The Intellectual Property Section met in March, 2011 to discuss the proposed local patent rules circulated by the special Local Patent Rules Committee of the U.S. District Court for the District of Connecticut. Following the meeting, the section provided, at the request of the special Local Patent Rules Committee, comment and feedback on the proposed rules. The section continues to monitor the progress of the proposed rules through the District Court.

Additional meetings are in the planning stages targeted for the fall. The section is considering sponsoring (or co-sponsoring) a discussion with a federal magistrate judge discussing unique aspects of preparing, presenting, and mediating intellectual property cases. The section is also considering offering a program on hot topics in intellectual property law, including the ramifications of the expansion of the new generic top-level domain (gTLD) program of the Internet Corporation for Assigned Names and Numbers (ICANN).

Labor and Employment Law Section

Barbara E. Gardner, Chair

Purpose

The purpose of this section shall be to further the association's purposes, including to promote the public interest by helping to study, interpret, and revise the laws of the state and nation of particular significance to employees, employers, unions, and bargaining associations. The functions of the section shall include the study, analysis, consideration, research, and investigation of legal principles having particular significance to labor or employment law; the promotion of the Bar's leadership in matters of public importance affecting labor or employment law; the publication of works of legal scholarship; the preparation, evaluation, submission, advocacy, endorsement, and opposing of legislation pertaining to labor or employment law; the presentation of the highest quality legal education and other programs of interest to the Bar and general public; the promotion of diversity within the labor and employment Bar, and the encouragement of cordial relations between members of the Bar and members of other professions and disciplines concerning labor or employment law. *See* Article I, Section 2 of the Labor and Employment Law Section bylaws, approved May 10, 2010.

Annual Report

Meetings

Section meetings were held on September 30, 2010; January 27, 2011; and April 26, 2011. At the September meeting, in accordance with tradition, the Legislative Subcommittee presented summaries of the bills of importance to our members as well as written materials regarding the most recent legislative session. The committee also

reports on any relevant proposed bills during the legislative session. At the January 27, 2011, meeting there was an education presentation on litigating claims under the Americans with Disabilities Act, as amended. We had a joint meeting with the Connecticut Employment Lawyers Association on April 26, 2011, that included a panel presentation on Social Media in Employment.

Executive Committee Meetings

Executive committee Meetings were held on September 30, 2010; October 28, 2010; January 27, 2011; and May 26, 2011. (A meeting scheduled for March 24, 2011, had to be cancelled due to low registration and other conflicts.) At the October 28 meeting, we heard from Mary Etter, director of operations for the CBA, regarding various issues, including how the CBA supports our section.

CLE

The Employment Law Committee sponsored two seminars. The first in September 2010 on wage and hour litigation, and the second in May 2011 on family responsibility discrimination. Our section will be sponsoring three programs at the Annual Meeting, including a review of the important decisions from 2010–2011, a panel on arbitration of employment disputes, and a presentation on direct and cross-examination of witnesses in employment litigation.

Publications

The *Labor and Employment Law Quarterly* was published to our members in summer 2010, fall 2010, and winter 2010–2011. This year the *Quarterly* was electronically published and posted on the Web site.

Legislative Efforts

Our legislative subcommittee tracks legislation of significance to our members, but generally speaking, cannot advocate one way or another on legislation as our section is made up of management, plaintiff/labor, and neutral attorneys. As stated above, we do receive an annual report in September of each year regarding legislation of interest to our members coming out of the legislative session for the prior year.

Volunteer Activities

Our section provided a scholarship to a student graduating from UConn Law School interested in labor and employment law. It will be presented at the Annual Meeting at the reception sponsored by our section.

Other Programs and Events

We held a joint “meet and greet” event with the Young Lawyers Section on November 18, 2010, in New Haven. This was the second annual meet and greet, which the section hopes to continue in future years.

The Labor Subcommittee held a 75th Anniversary celebration for the NLRB on December 3, 2010, which was well attended.

On May 26, 2011, the section co-sponsored a tribute to Norman Zolot, Esq., the “dean of traditional labor law,” which was very successful and well attended.

There will be a joint meeting with the ADR Section on June 8, 2011, where the Deputy Commissioner of Labor will be the guest speaker.

The section made efforts to update the Web site with meeting minutes, the newsletter, and other notices of interest to members.

Planning and Zoning Section

Ira W. Bloom, Chair

Purpose

The Planning and Zoning Section has continued to emphasize its core goals, which are to educate our own section members and the Bar in general about the changing law of land use, to educate lay members of local land use agencies about their legal authority and responsibilities, to improve the legislative structure within which land use decisions are made, and to foster goodwill and credibility between the Bar and the general community.

Annual Report

Cle Seminars

On October 22, 2010, our section sponsored a seminar entitled “A Potpourri of Hot Topics: A Spicy Mix of Land Use Issues.”

On December 8, 2010, our section, in conjunction with the Real Property Section, presented the “Fifth Annual Property Rights Seminar: Update on Eminent Domain

and Regulatory Takings.” This session was chaired by P&Z Section member, Dwight Merriam.

On March 13, 2011, our section presented the “Land Use Law for Municipal Officials Seminar” at Wesleyan University where approximately 300 town officials were in attendance.

At the CBA Annual Meeting on June 23, 2011, we will present a session on “Federal Zoning v. Home Rule: What Happens When the U.S. Government Starts Dictating Local Zoning.” The moderator will be Attorney Dwight Merriam. This will be a discussion and update on federal programs which impact local land use.

Monthly Meetings

This section has continued to have monthly meetings in New Haven. We have addressed a number of important topics with interesting speakers including Hon. Thomas Corradino (September 2010) and Hon. A. William Mottolese (June 2011) as well as a legislative update from Rep. J. Brendan Sharkey. Also, we had a combined meeting with the Connecticut Chapter of the American Planners Association (November 2010), a joint meeting with Environmental Law and Public Utility Law Sections (April 2011), and we look forward to a meeting with the Young Lawyers Section in June 2011. A focus of several of our meetings has been a proposal we are drafting to deal with new e-filing rules and new Practice Book proposals to streamline and improve the administrative law appeals process.

Legislation

Our legislative liaison, Attorney Eric Knapp, has provided us with regular updates of important legislation. We have not taken any positions on pending legislation this year.

Practice Book and E-Filing Rules

As noted above, we have spent a considerable amount of time this year working with members of the Judicial Branch, including the Chief Court Administrator, Hon. Barbara M. Quinn, Hon. Marshall K. Berger, Hon. Henry Cohn, Hon. Dennis Eveleigh, Hon. Patrick Carroll, and Joseph D. D’Alesio and Alice Mastrony of the Judicial Branch, in an effort to incorporate the new e-filing rules and improve the administrative law appeal process. Working together with the group, we have submitted a proposal to members of the Judiciary to update and modernize the practice, while incorporating the new e-filing requirements. As of this writing, the Rules Committee is preparing to act on the proposal with a full vote from the Judiciary anticipated in June 2011.

From the Chair

I wish to extend my personal thanks to several of my colleagues upon whom I relied for constant advice and who were regular attendees and participants in our section activities this year. They include Mark Branse, Chuck Andres, Dwight Merriam, Mario Coppola, Dory Famiglietti, and Jane Freeman. A special thanks to our section officers, Matt Ranelli, Beth Critton, and Mario Coppola. Thanks also to those attorneys who prepared outlines and participated in the “Wesleyan Seminar for Land Use Officials.” They include Timothy Bates, David Royston, Christopher Smith, Brian Smith, Robin Pearson, Michael Zizka, Richard Roberts, Mark Branse, Janet Brooks, Marjorie Shansky, and Chuck Andres. In addition, many of our section members were active attendees at our monthly meetings and assisted in the various presentations at these meetings as well as the seminars presented. They have made this a rewarding and enjoyable year.

Public Utility Law Section

Michael E. Kozlik, Chair

Purpose

The purpose of the section is to promote the educational and professional objectives of the Connecticut Bar Association within the general field of public utility law including, in particular, state and federal statutory and regulatory supervision of public utility companies.

Annual Report

The Public Utility Section had the following four meetings during the 2010–2011 term:

- “A Conversation about Connecticut and the National Broadband Plan,” with a panel comprised of DPUC Commissioner Anthony Palermino, OCC Principal Attorney William Vallée, and Michael Chowanec of Cablevision (October 20, 2010).
- Our annual Energy & Technology Committee legislative update with Senator Fonfara and Representative Nardello (January 19, 2011) (conducted as a joint meeting with the Connecticut Power & Energy Society).
- A joint meeting with the Environmental Law and Planning & Zoning Sections and the envi-

- ronmental and land use law students from Quinnipiac University regarding Development of Sustainable Energy Projects in Connecticut (April 12, 2011). Our guest speakers were: Joel Rinebold, Director of Energy Initiatives, Connecticut Center for Advanced Technology; Dale Hedman, the Acting President of the CT Clean Energy Fund; Joey Lee Miranda from Robinson & Cole LLP; and Peter Herbst from Herbst & Herbst LLC.
- A meeting with Commissioner Daniel Esty of the Department of Energy and Environmental Protection (June 16, 2011).

Real Property Section

Edward S. Hill, Chair

Purpose

The purpose of the Real Property Section is to promote the educational and professional objectives of the Connecticut Bar Association within the field of real property law. The section provides a forum at executive committee and section meetings throughout the year for the exchange of information and ideas relative to real property issues, concerns, and transactions, both residential and commercial. The section also welcomes consideration and discussion of issues related to conveyancing, mortgages, land use, title insurance, and other matters of interest to the real estate Bar.

Annual Report

Officers:

Edward S. Hill, Chair
 Mitchell S. Jaffe, Vice Chair
 Daniel S. Nagel, Treasurer
 Elton B. Harvey, III, Secretary

Meetings

The Real Property Section, one of the largest and most active sections in the Connecticut Bar Association, presented a series of programs at its monthly meetings to provide professional development and enrichment to its members. The following programs were presented at the full section and executive committee meetings:

- Private transfer fee covenants—their nature and use, title insurance underwriting concerns, and recent legislative and regulator activity
- How surveyors go about making land surveys on the ground
- Features of New York, Massachusetts, and Rhode Island real estate practices and documentation that Connecticut real estate practitioners should know about
- Real estate tax appeals—what lawyers should know to discuss the tax appeal process with their clients
- Real estate math—an introduction to real estate finance concepts such as discount rates, internal rates of return and other concepts relating to valuation and financing of real estate
- Growth and development of medical facilities in Connecticut
- A practical guide to representing buyers of foreclosed properties

Legislation

The Legislative Committee made up of Matthew Cholewa and Edward M. Rosenblatt monitored legislation of interest to real estate attorneys and led discussions and evaluations of proposed legislation. The section sponsored a bill to address a technical flaw in the statutes relating to acknowledgments of deed as required by Section 47-5 of the General Statutes.

The section made a \$1,500 contribution to the prize fund that it had established at the University of Connecticut School of Law for a prize to be awarded on Prize Day at the University of Connecticut School of Law. The section also contributed a \$1,500 prize to a law student at Quinnipiac University Law School.

Under the leadership of Edward M. Rosenblatt, the section continued to develop and pursue sponsorship for its Residential Real Estate Certification Program.

CLE

The section sponsored or co-sponsored the following CBA CLE Programs:

- October 5, 2010—Residential Real Estate Closings
- December 8, 2010—Fifth Annual Property Rights Seminar: Update on Eminent Domain and Regulatory Takings (co-sponsored with the Planning and Zoning Section)

- December 16, 2010—Tax Aspects of Real Estate Transactions (co-sponsored with the Tax Section)
- January 13, 2011—RESPA 2010: One Year Later—Are We Having Fun Yet?

The section pursued and was able to obtain a declaration by the Public Records Administrator confirming that town clerks may not refuse to accept for recording on the land records documents that contain graphical representations. Some town clerks had refused to accept for recording documents that contained graphical representations requiring that such representations be filed only in accordance with section 7-31 of the general statutes.

The section has established and is supporting the Model Residential Contract Committee, co-chaired by James Nugent and Eugene Marconi, whose mission is to develop a model standard residential purchase and sale agreement for the entire state. In a related area, the section has established and is supporting a committee to develop a suggested policy and procedure to ensure the receipt of “good funds” at real estate closings.

The section will be presenting two programs at the CBA Annual Meeting on June 23, 2010, its annual review entitled “Recent Developments in Real Property Law—Cases and Legislation” and a second program entitled “Representing Buyers of Foreclosed Properties (A Practical Guide).”

Sports and Entertainment Law Section

Douglas G. Lilly, Chair

Purpose

The goals of the section are: (1) provide a forum for attorneys to discuss and take action on issues important to the law and business of the sports and entertainment industries, (2) provide a networking system for attorneys in this area, (3) prepare and present seminars on sports and entertainment law for those attorneys and participants in the industry, (4) promote such other legal and equitable programs as the Section of Board of Governors of the Association deems fit.

Annual Report

Executive Committee Meetings

The committee had two executive committee meetings, one in November and a second in March. The first committee meeting was to approve the bylaws of the committee and to discuss the purpose of the committee. The November meeting was also a long-term planning for a May 2011 networking event. The March meeting was to plan the final details for the May event at the New Britain Rock Cats.

Other Programs and Events

The committee set up an event at the Hot Stove Luncheon sponsored by the New Britain Rock Cats. Ten members attended this event. The committee hosted a social event at a New Britain Rock Cats baseball game. The event was sponsored by sending out notices to the section members and Young Lawyers Section. The purpose of the event was to provide an opportunity for members to meet with each other and to attract new members. The event attracted seven new members from the Young Lawyers Section.

Tax Section

Richard J. Di Marco, Chair

Purpose

The purpose of the Tax Section is to promote the objectives of the Connecticut Bar Association (CBA) in the field of taxation; to further the continuing legal education of the members of the section and the CBA; to serve as a resource concerning federal and state tax laws to section members, the General Assembly and the CBA; and to serve in a liaison capacity on behalf of the CBA with the Internal Revenue Service (IRS) and the Department of Revenue Services (DRS).

Annual Report

The Tax Section officers for this year have been: Chair: Richard J. Di Marco, Vice Chair: Karen Clute, and Secretary-Treasurer: Eric L. Green.

The Tax Section conducts much of its activities through subcommittees of the executive committee. All interested members of the Tax Section are invited to join the executive committee. Members of the executive committee are

expected to attend all business meetings and to chair or serve on subcommittees which focus on specific areas of the tax law. All members of the Tax Section are invited to join subcommittees.

The executive committee schedules regular business meetings five times during the year. In addition to reports from subcommittee chairs, we have been fortunate enough to have in depth lectures on topics of interest from members and outside speakers. At our January 2011 meeting, Frank Berall did a presentation on the estate and gift changes contained in the 2010 Tax Act. At our March 2011 meeting, Don Philips, CBA governmental relations counsel, reported on the legislation supported by the CBA. We have also been fortunate to have Louis Bucari, assistant commissioner of the Department of Revenue Services, attend several of our meetings to discuss recent developments in Connecticut tax litigation.

The CLE subcommittee, co-chaired by Richard Convicer and Michael Neufeld, has been very active planning and conducting seminars. In December, 2010 several members of the Tax Section spoke at a seminar co-sponsored with the Real Property Section on "Tax Aspects of Real Estate Transactions" which was very well attended. The CLE subcommittee is co-sponsoring a session at the 2011 CBA Annual Meeting with the Estates and Probate Section. The program will be divided between a discussion of the 2010 estate and gift tax changes and the recent developments in foreign bank account reporting requirements and IRS' voluntary disclosure program.

The Tax Section holds separate liaison meetings at least once each year with representatives of the DRS and the representatives of the IRS. These sessions are now sometimes conducted in conjunction with the Connecticut Society of CPAs and the Connecticut Society of Enrolled Agents. We have adopted a format for the meetings with the DRS where attendees are assigned to a table based upon a particular topic such as sales tax or tax appeals/litigation. The attendees discuss issues of concern to the tax practitioners with the DRS representatives, and a reporter for the table summarizes the discussion at each table. These exchanges of information have been valuable to both the tax practitioner community and the government. Another liaison meeting with the DRS has been scheduled for late June 2011.

The Tax Section has once again supported a bill that would have established by statute a "preponderance of the evidence" standard for the burden of proof in tax appeals. The Tax Section has also been active in supporting legislation that would abolish the patenting of tax planning

ideas. Finally, the Tax Section, together with the Business Law Section, has supported the adoption in Connecticut of the Model Entity Transactions Act, which would allow for, among other things, business combinations among different forms of entities.

Technology Law Section

Steven A. Certilman, Chair

Purpose

The purpose of the Technology Law Section is to provide leadership on issues concerning science and technology and the law. The section's goals are as follows: (a) to provide a forum for members of the profession to review, analyze, and correlate developments in science and technology and to evaluate the impact of such developments on society and the law; (b) to study, report, and make appropriate recommendations on the regulation of science and technology and related legal issues; (c) to establish and maintain liaison and cooperation between the scientific and technological communities and the organized Bar, to the end of facilitating desirable scientific and technological, and related legal, developments; (d) to contribute to public and professional understanding of the effects of science and technology on law, of the problems arising therefrom, and of the processes by which the law responds; (e) to cooperate with and assist other CBA entities interested in associated or related areas of activity.

Annual Report

Executive Committee Meetings

The executive committee held a meeting in the fall of 2010. Approximately seven people attended. It had been some time since a meeting had been held and we discussed possible activities for the section. The consensus view was that the section fills an esoteric niche for technology law practitioners, lawyers generally and the public and that it is quite challenging to offer programs which are well attended.

Workers' Compensation Section

Mark D. Leighton, Chair

Purpose

The Workers' Compensation Section of the Connecticut Bar Association, while not one of the larger sections, is one of the most active and maintains a relatively equal balance between attorneys representing claimants and attorneys representing respondents. In addition to section members, the section has an executive committee consisting of 30 to 35 members. The purpose of the section and the executive committee is to promote an equitable system of compensation and medical treatment for the injured workers and employers as administered by the Workers' Compensation Commission which serves as the adjudicative body for workers' compensation claims. Our section attempts to work in concert with the Workers' Compensation Commission to provide swift, efficient, and equitable justice, while at the same time recognizing the inherent nature of an adversarial system and the rights of litigants. The section has an array of activities to promote these objectives and to raise the level of the practice before the Workers' Compensation Commission and the appellate courts.

Annual Report

This chair was once again blessed with the help of my fellow officers, Tracey Cleary, Treasurer; Donna Civitello, Secretary; and David Weil, Vice-chair. These fellow officers have helped me immeasurably, and have served our section admirably.

We started this past year with the Annual Meeting with Chair John Mastropietro who addressed our section with his update of the Workers' Compensation Commission, Attorney Jack Clarkson provided his perennially comprehensive review of appellate decisions with his insightful anecdotes, and Attorney Lucas Strunk provided our group with his comprehensive overview of legislative action during the 2010–2011 legislative session; our keynote speaker was the Honorable Katherine Koziol, Administrative Law Judge, who sits on the review board for the Massachusetts IAB. Judge Koziol shared some fascinating statistics and information about Massachusetts' workers' compensation. It was amazing how similar our systems are and the issues and problems we face are the same as theirs!

David Weil, as chair of the Continuing Legal Education, sponsored two exceptional seminars. The first was our now traditional annual medical "symposium." The topic this year was "A Thorough Medical Review of the Anatomy/Physiology of the Neck and Shoulder and a Discussion of Post Injury Treatment Options" held in Waterbury, Connecticut. As they did three years ago, Neurosurgery Orthopedics and Spine Specialists PC hosted this symposium held at St. Mary's Hospital. The facilities were great, and the speakers even better. Michael E. Karnasiewicz, M.D. headed his group of five other physicians. They were joined by Peter Barnett, M.D. It was not only a well attended seminar, but exceeded our expectation after a terrific seminar that they had presented three years ago.

Our spring seminar, entitled "Payor and Medical Provider Guidelines," addressed the thorny issue of payment of medical bills for accepted workers' compensation claims. This was an overview of the payor and medical provider guidelines issued by the Workers' Compensation Commission to address these issues both with medical providers as well as "payors" (insurance carriers and self-insureds). Chairman John Mastropietro was joined by other commissioners and experienced attorneys to address those issues.

Attorney Cori-Lynn Weber continued to update our Web page on the CBA Web site. She has done an excellent job. Attorney Robert Bystrowski headed the Bylaws Update Subcommittee to review and revise the bylaws of our section. There has been a lot of work by this committee and there have been substantive changes which we hope to have implemented in the fall of 2011.

Perhaps the area that took up the most amount of time of our members and officers related to the budget crisis of the State of Connecticut and its effects on the Workers' Compensation Commission. A number of our members addressed the legislature on these proposed cuts which would have crippled the Commission and led to the closure of the Division of Workers' Rehabilitation and potentially one or more of the District Offices. Our members, testifying at subcommittee meetings expressed the impact that those cuts would have, but particularly emphasized that any cuts in the Workers' Compensation Commission budget would have no positive impact on the general budget as the Workers' Compensation Commission is not funded through taxpayer dollars but instead through assessments on insurers and self-insured employers. Through the efforts of the chairman, other groups, and the CBA, the budget that was ultimately

passed avoided the most draconian cuts in the Workers' Compensation Commission budget.

This year we had four newly certified specialists in workers' compensation through the CBA. Workers' Compensation continues to be the sole area of the law that the CBA certifies as a specialty. While the Real Property Section had its request to certify a specialty rejected by the House of Delegates, there are signs that other sections may pursue specialization certification and that the House of Delegates may see the value of specialization certification to the CBA. Once again, many thanks to the Standing Committee and the Examining Committee for their tireless efforts and the model that could be used for other specialization certification programs.

Rick Aiken and his Golf Committee again ran a hugely successful Verrilli/Belkin Golf Tournament in August. The event attracted over 100 golfers, and included both respondent and claimant attorneys, claims professionals, commissioners, and guests. While we were again blessed with exceptional weather and everybody had a terrific time, the most important function of the tournament was accomplished wherein the proceeds of the tournament (100%) allowed us to donate over \$5,000 each to Connecticut Food Bank and Foodshare.

The *Compensation Quarterly* under the direction of editor-in-chief, Frank Costello, continued to be the jewel of the publications of any section of the CBA. With its four editions, topics ranged from in-depth legal articles to medical issues to case analysis.

Finally, Kevin Coombes ran the most successful "Exotic Seminar" on record. We returned to a more local venue, in Newport, Rhode Island. We had over 50 attendees of the seminar, with many more guests of our attendees. The seminar was highlighted with presentations by Kevin Paul Shea, M.D., Eric D. Grahling, M.D., Commissioner Randi-Lynn Cohen, and Attorney Angelo Sevarino. When we were not being educated by these terrific speakers, we had an opportunity to enjoy some of the sights of Newport including the Newport Dinner Train and Newport Harbor Cocktail Cruise, again organized by Kevin Coombes.

We look forward to another year of enthusiastic activity by our Workers' Compensation Section members. I want to thank all of those who have assisted me this past year in advancing the principals of our section.

Young Lawyers Section

Jeffrey J. White, Chair

Purpose

The YLS is the largest section within the CBA and is comprised of approximately 1,200 CBA members who are either 37 years of age or younger or have been practicing less than six years. In addition, the YLS includes law student members of the CBA. The activities of the YLS are governed by its executive committee, which is comprised of approximately 75 lawyers who are selected through a competitive application process.

The section's mission is to further the association's goals and purposes, and thereby to serve the community and the legal profession; to represent members in the association, and to represent the association to members; to help shape the policies and priorities that affect members and the legal culture in which they practice; to create a deliberate forum for the exchange and expression of members' views, and a voice to advocate views; to promote diversity within the association, the Bar and Connecticut law schools; to perform acts of charitable service to the Bar and the community; to provide continuing legal education; and to facilitate the participation of members in the American Bar Association.

Annual Report

Executive Committee Meetings/Special Events

The Executive Committee met for the first time at the YLS's annual leadership retreat in June 2010. In order to continue to encourage state-wide participation, we held the retreat in Stamford for the first time. U.S. District Court Judge Stefan Underhill served as our keynote luncheon speaker. The executive committee also had several hours of planning sessions.

Starting in September 2010, the executive committee held monthly meetings across the state. As with past tradition, some of the executive committee meetings also "doubled" as special events. Some of the YLS' special events are listed below:

Pro Bono Fair: October 2010

As part of National Pro Bono Week, the YLS hosted its annual Pro Bono Fair on October 26, 2010, at Quinnipiac University School of Law. The Annual Pro Bono Fair provided pro bono organizations from around the

state the opportunity to educate attendees about their programs and pro bono opportunities. Representatives from the Connecticut Appleseed, Connecticut Veterans Legal Center, Hartford HELP, Pro Bono Partnership, Lawyers without Borders, Connecticut Legal Services, New Haven Legal Aid, Greater Hartford Legal Aid, Statewide Legal Services, Lawyers for Children America, and Center for Children's Advocacy were all present to share their programs. Over 75 people attended the fair and it was deemed a great success. YLS pro bono directors, Emily Graner Sexton and Emily Gianquinto, along with YLS Vice-chair, Jonathan Shapiro, organized the event.

Diversity Dinner: November 2010

The Sixth Annual YLS Dinner Diversity was held on November 15, 2010, in New Haven. This year, the YLS honored Appellate Court Judge Richard Robinson. Over 200 people attended the event, which is a new attendance record. YLS diversity directors, Nicholas Yorio, Greg Daniels, and Mareesa Torres, organized the event.

Pathways Conference: November 2010

As is tradition, the YLS again participated in the CBA Women in the Law's Pathways Conference, which was held on November 3, 2010, in New Haven. The YLS presented its "Ladder Award" to Attorney Meg Deluca.

Billings Forge Holiday Party: December 2011

In December, the YLS organized a holiday party for the children of the Billings Forge Community in the Frog Hollow Section of Hartford (one of the poorest zip codes in the country). The event was sponsored in part by Stratton Faxon. The party included food, games, toys, crafts, and gifts and was a smashing success with the help of over a dozen lawyers volunteering their time and effort in advance and on the day of the event. Over 50 children participated in the event. Later that evening, the YLS held its annual members' holiday party next door at Firebox, which serves as a funding source for Billings Forge's community initiatives. In addition, during the holiday season, the YLS worked in close collaboration with the CBA and Billings Forge on a chocolate fundraiser that not only raised money for Billings Forge, but also brought publicity and business to a local hand-made chocolatier in downtown Middletown, who used herbs and spices from Billings Forge's community gardens in his chocolates. This initiative ultimately raised around \$1,000 for Billings Forge as well as forged a partnership between the chocolatier and Billings Forge. Julia Lentini and Elizabeth Conklin served as co-chairs of the event.

Distinguished Speaker Luncheon: May 2011

The YLS held its Sixth Annual Distinguished Speaker Luncheon on May 6, 2011, at the Hartford Club. This year, we were honored to have Professor Barry Scheck as our keynote speaker. Attorney Scheck was introduced by Mike Lawlor, who currently serves as Under Secretary for Criminal Justice Policy and Planning within the Office of Policy and Management. As in the past, the luncheon was widely supported by the federal and state judiciary with over 15 judges in attendance. In total, over 130 people attended the event. Julia Lentini and Sara Goldfarb served as co-chairs of the event.

CLE

This year, the YLS set a record for the most CLE programs (26) ever organized by the section with rave reviews.

"A Lawyer's Guide to Drafting Corporate and Organization Documents," which had 114 people registered (98 attend), was the highest attendance at a YLS seminar in the past five years. Further details about some of the CLEs that were organized by the executive committee are listed in Section IX. The section owes a debt of gratitude to the YLS CLE directors, Melanie Dunn and Stacey Haupt, and also CBA staff member, Amanda Evans, for a job well done in this record setting year.

Green Initiative

This year, the YLS Green Initiative made strides toward raising environmental awareness among members of the Bar and community at large. The initiative was led by YLS Director Elizabeth Conklin. In addition to the holiday party at Billings Forge (and accompanying chocolate fundraiser), the Green Initiative Team published a guide in the *Connecticut Law Tribune* for increasing personal environmental awareness. The guide, "Top 11 for 2011," showcased 11 steps individuals can take to reduce environmental impact. Throughout winter and spring 2011, the Green Initiative Team has been working on a much more comprehensive Green Guide, aimed at law firms and legal organizations. The Green Guide provides tips and resources for firms looking to reduce environmental impact and conserve resources and money. This *Green Guide for Law Firms* is in final formatting and editing currently, and the Green Initiative Team anticipates June 2011 publication (online, in partnership with the CBA).

Legislative Efforts

On April 27, 2010, the YLS held its annual legislative breakfast at the Legislative Office Building in Hartford. This event provides YLS members a unique opportunity

to meet with state legislators in a relaxed and social atmosphere, allowing both members and legislators the opportunity to informally discuss both legal and legislative issues facing Connecticut today. This year's keynote speaker was Representative Gerry M. Fox III, the chair of the Judiciary Committee. The breakfast was well received and attended by over 50 attorneys and legislators. The event was organized by the YLS' legislative liaison, Michael Goldfarb.

Soup Kitchen Project

The Young Lawyers Section Soup Kitchen Project enjoyed a very successful second season as the YLS (led by Brette Fitton) organized 27 soup kitchen dates. Members of the YLS helped prepare and serve meals at the St. Elizabeth House-Mercy Shelter in Hartford, the Norwalk Emergency Shelter, and at the Downtown Evening Soup Kitchen (DESK) in New Haven. Because of the hard work of our members, DESK awarded the CBA YLS its annual Soup Night 2011 award. YLS members who organized volunteer groups were able to recruit family members, paralegals, and other attorneys from the senior Bar. Many volunteers took the time to report what a rewarding experience volunteering was and have asked to volunteer again.

Career Panels

The YLS continued its Career Panel Series at UConn and Quinnipiac Law Schools. The Career Panels continue to be an important function of the YLS insofar as they provide insight for law students on what the practice of law is like in a particular field, from the perspective of a new attorney. The Career Panels also serve as an inroad whereby YLS members can explain the benefits of CBA membership to prospective attorneys. The panels were organized by YLS Law Student Advisor Susan Kirkeby. Seven panels were held as noted below:

QU Law:

Insurance Law: October 28, 2010

Personal Injury Law: February 7, 2011

Intellectual Property Law: March 21, 2011

UConn Law:

Government & Administrative Law: September 29, 2010

Elder Law: October 19, 2010

Family Law: February 28, 2011

Employment & Labor Law: April 6, 2011

Professional Development Activities

During 2010–2011, the Professional Development directors, Matthew Necci and Ashley Russo, held several networking events for executive committee members and

section members at-large. The directors set a goal of planning events that encouraged members to get out of their offices and socialize with their peers in a relaxed setting as a way to promote work-life balance and enhance the networking skills and opportunities for young lawyers.

UConn Tailgate: 20 members of the YLS attended the UConn vs. University of Buffalo football game. Attendees also participated in a pre-game tailgate event that was sponsored by the YLS.

Special Olympics Penguin Plunge: YLS members participated in a Penguin Plunge at Hammonasset State Park Beach in Madison, with all funds going to the Connecticut Special Olympics. The YLS team raised over \$1,500, and the total fundraising for the event was more than \$75,000.

Middlesex networking event: YLS members in Middlesex County met with senior members of the Middlesex Bar for a networking event.

Rock Cats game: EC members and their families will be attending a game in July 2011 as the originally scheduled May date was rained out.

March Madness networking event: Approximately 25 YLS members met at the Black Bear Saloon in Milford to cheer on the UConn Huskies during their run to their third national title.

Max Downtown networking event: Approximately 40 YLS members attended a meet-and-greet networking event at Max Downtown in Hartford.

Mock Trial Competition: At the request of Amity Arcott, many YLS members served as coaches and judges for middle school and high school mock trial competitions, including assisting the Mercy High School team that participated at the National High School Mock Trial Competition that was held in Phoenix, Arizona, in May 2011.

ABA/YLD Activities: Jeffrey M. Sklarz, District Representative

Service to the Bar: The ABA/YLD had an extremely productive year culminating with the passage of the *Truth in Law School Education* by the YLD Assembly at the Mid Year Meeting. This resolution was adopted by unanimous consent. It urges all ABA-approved law schools to report employment data in a more accurate manner. The resolution further urges ABA-approved law schools to increase transparency on graduate salary information, including

national median salary and the actual costs of a law school education. The resolution will be presented to the ABA House of Delegates at the Annual Meeting this August and demonstrates the YLD's and ABA's commitment to ensuring students entering law school understand the finances of a legal education.

Service to the Public: During the 2010–2011 Connecticut young lawyers also provided disaster legal relief to needy families harmed by various natural disasters. These programs were coordinated with FEMA through CBA headquarters and could not have been delivered without the assistance of the CBA's excellent staff and the selflessness of many young lawyers.

Programming: The first ABA-YLD New Partner and In-House Counsel Conference took place from February 25–26, with great success. This will become an annual event, with the next conference set for March 2012. Our own Lizz Acee, a past chair of the ABA-YLD, was a featured speaker.

Leadership: Dana Hrelc was recently elected as the next district representative and will served from 2011–2013. She takes her position at the conclusion this year's annual meeting.

Reports from Individual Committees

Administrative Law / Government: Co-chairs: Patrick Lamb and Greg Daniels

The Administrative Law and Government Committee organized the well attended Public Service Career Panel at UConn Law, which provided students advice on entering into and succeeding in a path of public service.

Appellate Practice: Co-chairs: Dana Hrelc, David DeRossa, and Matthew Weiner

The Appellate Practice Committee had a productive year, with most of the events occurring in the fall. The committee organized and sponsored the annual Appellate Practice Dinner, where Chief Judge Alexandra D. DiPentima spoke as our honored guest. The dinner was extremely well attended, with attendance levels surpassing those of last year, which were record-setting. Chief Judge DiPentima candidly gave our attendees, who were mostly young lawyers, advice on the handling of both trial level and appellate matters, and took questions from an eager crowd. The event was a tremendous success. In addition, the committee co-sponsored a CLE with the Federal Practice Committee about the new rules of practice in the Second Circuit. The CLE also was extremely well-

attended, with more than 50 members of both the senior Bar and the Young Lawyers Section in attendance. The clerk of the Second Circuit spoke and provided extremely helpful material that was handed out to the attendees. The event was very well received by all. In the spring, members of the committee met with various members of the Litigation Committee and the Federal Practice Committee, and set forth a plan for future events including Bench-Bar receptions, a potential welcome reception for the newest appointees to the Supreme and appellate courts, and the co-sponsoring of the Appellate Practice Institute, which is set to occur in the fall of 2011.

Bankruptcy & Commercial Law: Co-chairs: Daynor Carman and Laurie Bloom

The committee held two events: (1) a CLE entitled "Bankruptcy Basics 101" on December 2, 2010, and (2) a networking social at Barcelona in New Haven on April 5, 2011.

Business Law: Co-chairs: Joanne Rapuano and Christine Salmon

On March 28, 2011, the committee conducted a CLE entitled "A Lawyer's Guide to Drafting Corporate and LLC Organizational Documents." This two-hour CLE focused on LLC and organizational formation, document drafting, and relevant tax issues. The CLE was conducted by Attorneys David Swerdlov of Day Pitney, Andy Glassman of Pullman & Comley, and Lou Schatz of Shipman & Goodwin LLP. The moderator was Attorney John Lawrence Jr. of Shipman & Goodwin LLP.

Children and the Law: Co-chairs: Amity Arcsott and Phillip Cohn

The Children and the Law Committee, in cooperation with the Solo Practice Committee, sponsored a CLE panel-format seminar entitled "Introduction to Children's Law in Probate and Superior Courts."

Elder Law: Co-chairs: Andrew Knott and Francesca Lefante

The Elder Law Section hosted two events this year, both of which were CLEs. The first, entitled "Spending Down for Title XIX" walked the participant through the process by which a person becomes eligible for Medicaid benefits. The second CLE, entitled "Dementia for Lawyers," brought in a physician and two attorneys to discuss the nature of dementia and how lawyers are to deal with it

from the standpoint of clients who suffer from dementia, or cases where dementia is a substantive issue.

Environmental/Real Property Law: Co-chairs: Joshua Hecht and Erin Anderson

The Environmental/ Real Property Committee coordinated and developed a CLE entitled “Environmental Law: Fundamentals of Environmental Law in Commercial Transactions,” which will be held at the CBA Law Center on June 6, 2011. This program provides attendees with the fundamentals of environmental due diligence that every Connecticut attorney should be familiar with when representing clients in the areas of commercial real property and business law. Joshua Hecht was also a contributor to the *Green Guide* publication.

Estates and Probate: Co-chairs: Lisa Staron and Jeannine Wyszkowski

The Estates and Probate Section organized two CLE seminars this year. The first, “Basic Estate Planning,” was held on December 6, 2010, at the CBA Law Center. The second, “The Art of Administering a Decedent’s Estate in 2011,” will be presented at the CBA Annual Meeting on June 23, 2011. In addition, a Middlesex/New London County kick-off event for the Horn of Plenty food and clothing drive was held at Penny Lane Pub on October 20, 2010. This marked the first year either county participated in the annual drive.

Family Law: Co-chairs: Anthony Cenatiempo, David McGrath, and Aidan Welsh

The Family Law committee presented a half-day “Introduction to Family Law” CLE on March 2, 2011. Speakers included Allen Palmer, Bonnie Amendola, Kristy Hanney, Barry Armata, Norman Roberts, and Judge Pinkus. On November 8, 2010, the committee presented an evening CLE entitled “Preparing Your Client for a Child Custody Evaluation and Trial.” Speakers included Thomas D. Colin, Louise Truax, Dr. Horowitz, Dr. Bergen, and Judge Buzzuto. On March 31, 2011, as an additional non-CLE event, the committee presented “Redefining Parenthood: Parenting Rights by Contract and the Impact of *Raftopol v. Ramey*” with panelists Victoria Ferrara, Donald Sherer, State Representative Grogins, Ken Bart-schi, and Justice McLachlan.

Federal Practice: Co-chairs: Emily Gianquinto, Julianne Lombardo, and Alison Weir

The Federal Practice Committee sponsored several events in the 2010–2011 Bar Year. In September 2010, the group sponsored a CLE program entitled “An Introduction to Federal Practice.” The event featured a panel of local practitioners and the Honorable Judge Vanessa Bryant. In November, the committee, in partnership with the Appellate Practice Committee, sponsored a second CLE event in order to address the new electronic filing requirements of the Second Circuit. Katherine O’Hagan Wolfe, the clerk of court from the Second Circuit conducted the CLE program and answered many questions for attendees about the new procedures. Both of the CLE events were well attended. In May 2011, the committee hosted the Federal Judges Dinner at the Hartford Club. The dinner presents an opportunity for young attorneys to meet and talk informally with members of the federal bench. In attendance were Chief Judge Thompson, Judge Chatigny, and Magistrate Judges Martinez and Smith. Approximately 25 members of the YLS attended the dinner, allowing for a comfortable ratio of attorneys to judges, and affording every attorney the opportunity to speak individually to members of the judiciary. Additionally, the Federal Practice Committee Co-chairs volunteered on several Saturdays with the Soup Kitchen Project, preparing and serving meals to Connecticut’s homeless and hungry.

Health Law: Chair: Daniel Lindenberg

The Health Law Committee held three CLEs: (1) “Health Law Essentials” (November 9, 2010); (2) “Dementia for Lawyers” (February 7, 2011) (which was organized with the Elder Law Committee); and (3) “Implementation Hurdles with Health Information Technology” (May 9, 2011). On April 26, 2011, Dan organized a non-CLE on “Whine and Wine: Career Coaching for Lawyers.”

Human Rights & Responsibilities: Co-chairs: Tamara Laracuenta-Rissolo and Alexis Highsmith

This year the Human Rights Section actively participated in the YLS’ Soup Kitchen Project. Tamara Laracuenta-Rissolo helped almost every month at the soup kitchens in Norwalk and New Haven and some months at the Hartford Soup Kitchen, including on Christmas Day. As part of reaching out to help with Human Hunger and Human Needs, Tammy also gathered clothing and toys and dropped them off at the New Haven and Norwalk soup kitchens. Some of the clothing included coats and gloves for this harsh winter and winter blankets were also dropped off. The Norwalk Soup Kitchen has clients that take food home for the children and disabled. Each

month Tammy collected containers that she dropped off for the soup kitchen to fill for those take-out clients.

Insurance Law: Co-chairs: Taylor Archambault and Gregory Podolak

On April 25, 2011, the Insurance Law Committee sponsored a two-hour CLE entitled “The Fundamentals of Commercial Property Insurance Coverage: Key Strategies and Insight for Reading and Interpreting Policies.” Speakers Stephen Clancy of Robinson & Cole and Jeremiah Welch of Saxe Doernberger & Vita provided a soup-to-nuts analysis of the terms, conditions, limitations, and exclusions of a base commercial property insurance policy. The course offered strategies for policyholders in submitting and resolving claims and highlighted claim-handling strategies and pitfalls from the carrier perspective. The faculty discussed current legal theories and trends, examined “real-world” hypotheticals, and incorporated audience participation. The program was well attended and a resounding success.

Intellectual Property: Co-chairs: Nike Agman and Kathryn Picanso

This year the Intellectual Property Committee held a career panel at Quinnipiac University to introduce law students to IP professionals. The panel consisted of an in-house counsel at a large pharmaceutical firm, a partner at a Hartford law firm who specializes in patent litigation, and a partner at a Waterbury firm who practices before the United States Patent and Trademark Office. The panel was well attended by students and the IP committee hopes to hold a similar panel next year at the University of Connecticut.

Labor & Employment: Co-chairs: Nicholas Yorio and Danielle Angliss

CLE – Employment Law 101 (September 27, 2010)

Comprehensive introduction to basic legal principles and primary employment laws every practitioner in the field should know. Panel consisted of two attorneys primarily representing plaintiffs (Danielle B. Angliss, Beck & Eldergill PC; Nicole M. Rothgeb, Livingston Adler Pulda Meiklejohn & Kelly PC) and two attorneys primarily representing employers (Stephen P. Rosenberg, Littler Mendelson PC; Douglas W. Bartnik, Day Pitney LLP). Primary topics covered were: (1) “At Will” Employment, Wrongful Discharge, and Contesting the Denial of Benefits; (2) Basic Summary of Employment Discrimination and Retaliation Laws; (3) The CHRO Complaint Process; (4) Family and Medical Leave (FMLA); and (5)

State and Federal Wage and Hour Laws. The panelists also devoted time to taking questions from the participants and discussing how employer-side and employee-side attorneys approach certain issues. There were approximately 30 participants.

Meet & Greet Event (November 18, 2010)

CBA Labor and Employment Law Section & YLS Labor and Employment Law Committee joint social event in New Haven. Second Annual Meet & Greet event, allowed new and more seasoned Connecticut labor and employment lawyers to mix and mingle in a social environment.

Litigation: Co-chairs: Michael Goldfarb, Kelly Reardon, and Sylvia Rutkowska

The Litigation Committee presented three CLE seminars on the following topics: “Short Calendar 101,” “Pre- and Post-Judgment Procedures,” and “A Lawyer’s Primer on Expert Witnesses.” Panelists included experienced practitioners, court personnel, and superior court judges. Each CLE seminar was well received and attended by over 60 attorneys. In addition, at the request of Chief Justice Rogers’ commission on ADR, the Litigation Committee held a round table discussion on the availability and effectiveness of the Judicial Branch’s ADR programs.

Solo Practice: Co-chairs: Kyle Wilkinson and Tamarah Evanko

During this past Bar Year, the YLS Solo Committee collaborated with the Children’s Law co-chairs to plan a fall event on children’s law that was well attended and well received. In the spring, members put work in on a Boot Camp for Lawyers event which has not yet come to fruition, and also collaborated with Healthcare Law Co-Chair Dan Lindenberg on a successful networking how-to event called “Whine and Wine,” which happened this spring and was well attended and received.

Tax Section: Chair: Scott Sebastian

The Tax Section organized one CLE, “Reading the Individual Income Tax Return: A Primer for Non-Tax Attorneys,” on February 28, 2011, at the CBA Law Center. The panelists undertook a line-by-line analysis of the IRS Form 1040, describing the information encapsulated in each line item and highlighting potential pitfalls for non-tax attorneys. Approximately 20 people attended. Chair Scott Sebastian attended several meetings of the main CBA Tax Section Executive Committee to introduce himself to the members, raise awareness of the YLS, and determine potential programming for future years.

Technology Law: Chair: Fletcher Thompson

The Technology Law Committee has been focused on developments in Connecticut on the issues of spoliation of evidence and electronic discovery. Year-long planning involving contacts with speakers at KrollOnTrack in Minnesota, as well as members of the Connecticut Bar regularly engaged in e-discovery related issues led to a CLE scheduled for May 2011. The CLE, scheduled for May 16th, involved speakers on the current state of e-discovery law in Connecticut, and advocating the need for Connecticut to formally adopt rules to address e-discovery issues in state courts. This CLE was postponed until fall 2011 after the Judiciary's Committee on Rules of Practice preempted it, by adopting proposed rules governing e-discovery at a March meeting.

Women in the Law: Co-chairs: Sara Goldfarb and Kori Wisneski

This year, the Women in the Law Committee organized and held the Women's Professional Golf Event on May 5th at Lyman Orchards Golf Club in Middlefield, CT. The purpose of the event was to provide women of all skill levels an opportunity to improve their golf game while networking among one another. The event included two clinics tailored to the women's varying skill levels, a lesson on golf etiquette led by the Golf Club's head golf instructor, a catered lunch during which Elizabeth Alquist of Day Pitney LLP gave a speech on the usefulness of golf to networking in the legal profession, a 9-hole scramble, and a post-play reception. The event sold out within 48 hours of its advertisement through the CBA, and was attended by women of all ages across Connecticut. Thanks to numerous sponsors, the committee was able to keep the cost of the event at \$25 per person and required no funding from the CBA.

Workers' Compensation: Co-chairs: Patrick Battersby, Jill Morrissey, and Stacy Votto

In the fall, the committee put on a Worker's Compensation 101 seminar and had three attorneys speak. In February the committee hosted a meet and greet in conjunction with the CBA's Workers' Compensation Section for the new commissioner, Commissioner Thompson. Most recently in April the committee had a seminar on upper extremity injuries in the workplace.

Future Leadership

In April 2011, the executive committee, acting in its capacity as Nominating Committee, nominated the following slate of officers, who were subsequently elected to

serve for the 2011–2012 bar year: Chair: Jonathan Weiner; Chair-elect: Jonathan Shapiro; Vice-chair: Chris Nelson; Treasurer: Emily Graner Sexton; Secretary: Tushar Shah.

Committee Reports

Affordable Housing and Homelessness Committee

Timothy D. Bates, Chair

Purpose

The purpose of the Affordable Housing and Homelessness Committee (“the committee”) is to promote and encourage legal efforts to create and preserve needed affordable housing and end homelessness in Connecticut in a proper and rational manner. The committee also seeks to offer practitioners throughout the state information on these topics.

Annual Report

I want to thank Brian Smith for his prior leadership of this committee.

This year, we have reassessed how best to involve the Bar membership in the critical issues of affordable housing and homelessness. As a committee, we met with Jan Van Tassel, executive director of the Connecticut Legal Rights Project (CLRP), and explored Connecticut’s involvement in supportive housing for the mentally disabled and previously incarcerated. A group of committee members has been meeting to plan a symposium on affordable housing and supportive housing as an area of market demand and potential housing growth.

We look forward to new programs next year exploring financing of affordable and supportive housing as well as state and national programs intended to end homelessness as we know it in our lifetime. Stay tuned for future developments.

Animal Law Committee

Colette S. Griffin, Co-chair
Suzan M. Porto, Co-chair

Purpose

Formed in 2002, the purposes of the Animal Law Committee are to provide a forum for members to exchange ideas and to study and understand laws, regulations, and

case law pertaining to all areas of animal law; to organize periodic CLE seminars on various issues relating to animals and the law in order to educate the members of the Connecticut Bar, Bench, and the public about animal law and about different ways in which the legal system can work to protect animals; to be a resource for people, organizations, and government agencies that wish to obtain information about the subject; to create and maintain a referral service for the public in order to be able to refer people with animal-related problems or concerns to attorneys who are prepared to handle such cases; and to create and maintain a brief and resources bank for use by attorneys practicing in the field of animal law.

Annual Report

The Animal Law Committee has worked with a number of individuals regarding animal related issues and questions. The committee has also worked with the Department of Agriculture regarding certain issues pertaining to disposition orders for companion animals.

Officers

Colette S. Griffin, Co-chair
Suzan M. Porto, Co-chair
Anne Jasorkowski, Secretary
Raymond Nuzzo, Legislative Liaison

CLE

In the fall of 2010 the Animal Law Committee presented a CLE seminar entitled “An Introduction to Animal Law,” which was hosted by the Connecticut Bar Association at its headquarters. Leading attorneys spoke about the following topics:

Custody and Title to Companion Animals
Purchaser’s Rights in the Sale of an Animal
Municipal Zoning Control of the Keeping of Animals
Veterinary Malpractice, Negligence, and Emotional Distress
Statutory Rights When an Animal is Seized, Lost, Injured, or Stolen
Protection of Service Animals
Protecting Wildlife under the Connecticut Environmental Protection Act

The next seminar is scheduled for November 5, 2011, and will focus on litigating animal cases on the federal level.

Legislative Efforts

The committee continues to support the legislation regarding humane education, dissection choice, and cross

reporting of family violence. The committee also followed all other pending legislation related to animal issues.

Other Programs and Events

We were invited to the paralegal luncheon to speak and trained paralegals in some areas of importance regarding animal law.

We hope to do more training, both of attorneys and the Judiciary, in the next couple of years.

Appellate Advocacy Committee

Jeffrey R. Babbin, Co-chair
Sheila A. Huddleston, Co-chair

Purpose

The Appellate Advocacy Committee serves to promote excellence, professionalism, and continuing education in the area of appellate litigation. The committee seeks to improve appellate practice through its periodic meetings where appellate practitioners can meet to discuss issues of common interest and develop suggested improvements to the rules of appellate practice. The committee invites appellate judges and clerks to many of its meetings to foster greater understanding of the appellate process and to encourage dialogue among Bench and Bar. The committee also sponsors CLE programs on appellate issues.

Annual Report

Meetings

The committee met several times throughout the year to discuss all areas of appellate practice. In the fall of 2010, the committee hosted a conversation with Supreme Court Justice Dennis G. Eveleigh. Throughout the 2010–2011 Bar Year, the committee and various subcommittees discussed several issues relating to appellate practice rules and suggestions for amendments to those rules. In June 2011, Supreme Court Justice Peter T. Zarella is scheduled to speak at a committee meeting on the topic of electronic initiatives in the appellate clerk's office. Also in June 2011, the committee is sponsoring a CLE program at the CBA Annual Meeting entitled "The Final Word: Understanding the Final Judgment Rule and Its Exceptions."

Audit Committee

James T. Shearin, Chair

Purpose

The Audit Committee's purpose is to oversee the Connecticut Bar Association's audit function, including coordinating with both management and the association's outside auditors.

Annual Report

During the course of the last year, the committee met with the auditors before and after their audit to discuss the Connecticut Bar Association's finances, the presentation of same, and various management issues. The committee thereafter met on several occasions to discuss ongoing management efforts as they affected the Connecticut Bar Association's finances.

Child Welfare and Juvenile Law Committee

Douglas J. Monaghan, Chair

Purpose

The purpose of the Child Welfare and Juvenile Law Committee is to discuss and consider issues impacting children and parents who become involved in the legal process as it pertains to child protection and juvenile justice and to promote the continuing education of CBA members and the general community with respect to such issues. To that end, the committee shall monitor proposed legislation, regulations, policy, and court rules affecting children and their families in the Superior Court for Juvenile Matters; develop positions with respect to said proposals; and foster relationships between attorneys and private, public, and governmental organizations dealing with families involved in the child protection and juvenile justice systems. The committee will also be attentive to other issues effecting children and families that arise in areas, including but not limited to family, probate, criminal, and education law.

Annual Report

Meetings

In the spring of 2010, this committee was revitalized and reorganizational meetings began on March 25, 2010. Three additional monthly meetings in the 2009–2010 Bar Year solidified the reemergence of this committee as an active unit in the CBA. This year (2010–2011), except for August and November, monthly meetings were held at the CBA offices in New Britain averaging 12 members per meeting. This year the committee completed its reorganization by adopting a Committee Organization establishing the executive committee, officers, and CLE subcommittee. The committee also adopted its own legislative proposal endorsement procedure, consistent, of course, with the CBA's legislative policies. Finally, the committee reviewed and revised both the committee's mission statement and name (formerly the Children and the Law Committee), which was approved by the CBA House of Delegates on March 14, 2011.

CLE

While the committee was committed to producing a CLE program this year, efforts to organize a program in coordination with the Pro Bono Committee were postponed when the funding crisis in the Office of the Chief Child Protection Attorney diverted the committee's full attention to this new issue.

Legislative Efforts

This committee takes as its primary, core responsibility the monitoring of legislation pertaining to its mission statement. Consistent with this responsibility, an agenda item for every meeting has been the legislative watch list. In addition, in reviewing and establishing committee goals, this committee decided to identify every year one legislative proposal for submission in accordance with the CBA legislative policies and then, hopefully, passage by the Connecticut General Assembly. This year two legislative proposals were submitted that have been introduced as HB 6442 "An Act Concerning the Appointment of Counsel and Guardians *Ad Litem* in Child Protection Matters, and the Appointment of Permanent Legal Guardians." As of the submission of this report, passage of this Act appears to be likely. The committee also requested and received an association position with respect to adequate funding of the Chief Child Protection Attorney before the Appropriations Committee. Three committee members testified before the Judiciary Committee in support of the proposed legislation and several members of the committee, as well as President Ralph Monaco, testified before the Appropriations Committee with respect to the request for adequate funding for CCPA.

Other Programs, Events, and Activities

A recommendation to encourage Bench participation in committee activities and increase Bench/Bar dialogue on important committee issues resulted in an invitation to the Honorable Christine Keller to attend a meeting, which ultimately led to her appointment to the committee's executive committee.

President Ralph Monaco requested the committee provide input on the ABA Resolution 102: Judicial Excellence in Child Abuse and Neglect Proceedings: Principles and Standards for Court Organization, Judicial Selection and Assignment, Judicial Administration, and Judicial Education. This committee provided the CBA's delegates with recommendations for modifications of that draft resolution. The committee was active in working with an ad hoc committee of contract child protection lawyers who were attempting to assist in dealing with the financial crisis being experienced by the Office of the Chief Child Protection Attorney caused by inadequate funding. Committee members assisted in developing bullets for distribution to legislators and talking points for any committee members or others who wished to contact legislators directly about the need for appropriate funding levels. Finally, the committee appointed a Web monitor who, in concert with the CBA Webmaster, updated the committee's Web site. Committee meeting minutes, executive committee members, and the organization and legislative endorsement procedure are all available now on the committee Web site along with important links.

Commercial Finance Committee

Michael F. Maglio, Co-chair
Thomas J. Welsh, Co-chair

Purpose

The Commercial Finance Committee is a committee of members of the association demonstrating knowledge, experience, and reputation in the field of commercial finance. The committee is appointed by the president of the Connecticut Bar Association and has members who are the leading practitioners in this field. The purpose of the committee is to provide a focus on issues and developments in the rapidly changing and vital area of commercial finance law.

Annual Report

Since the committee began its work in the 2008–2010 Bar Year, the committee sponsored and held an evening dinner seminar on January 28, 2008, jointly with the Commercial Law and Bankruptcy Section and the Financial Institutions Section, titled “Overview of Revised UCC Article 9—Secured Transactions and Security Agreements and Emerging Issues.” This seminar was arranged by committee members Thomas J. Welsh, Michael F. Maglio, and James C. Schulwolf who were also the speakers. The committee also sponsored a luncheon meeting on November 25, 2009, with the Section of International Law titled “Remarks on United States Constitutional Law—Including Incorporation of Constitutional Provisions to Restrict States Under the 14th Amendment.” The very entertaining speaker at this luncheon meeting was Dr. Michael Arnheim, a Ph.D. and practicing barrister in London, England, and author of 15 books, including a number on legal topics, and specifically including *U.S. Constitution for Dummies* (2009) published by Wiley Publishing.

The committee undertook the drafting of the Connecticut comparative law chapter in the book titled *Commercial Lending Law: A State By State Guide*, published by the American Bar Association in 2009 under the auspices of the Commercial Finance Committee of the ABA Business Law Section. The co-authors for this chapter on behalf of the CBA Commercial Finance Committee were Michael F. Maglio, James C. Schulwolf, R. Jeffrey Smith, and Thomas J. Welsh, and the CBA Commercial Finance Committee was specifically referenced in the text.

In 2010 a number of members of the committee were appointed to the Connecticut Law Revision Advisory Committee on the 2010 amendments to Article 9 of the Uniform Commercial Code. This committee studied the revisions to UCC Article 9 promulgated by the National Conference of Commissioners of Uniform State Laws and the American Law Institute in 2010 and drafted the bill that was introduced in the Connecticut General Assembly in 2011 to amend the Connecticut enactment of UCC Article 9 to comply with Connecticut policy and practice. Participants in this process from the committee were Andrew R. Lubin, Michael F. Maglio, James C. Schulwolf, and Thomas J. Welsh, as co-chair of the Advisory Committee.

The committee, together with the Commercial Law and Bankruptcy Section, obtained permission from the Connecticut Bar Association to support the adoption of the revisions to UCC Article 9 drafted by the Connecticut

Law Revision Advisory Committee in 2010. Committee member James C. Schulwolf testified and presented written materials on behalf of the committee and the section before the Judiciary Committee on March 9, 2011.

The committee is currently planning a half-day seminar in the fall of 2011, in conjunction with the Alternative Dispute Resolution Section and the Commercial Law and Bankruptcy Section, to provide a primer on alternative dispute resolution for business and commercial finance lawyers. This program will include a presentation relating to the recently completed report of the ABA Joint Task Force on ADR in Commercial Finance Transactions of the ABA Business Law and Dispute Resolution Sections. The committee is also considering future projects, in conjunction with other sections of the association and of the American Bar Association, to advance the understanding and development of commercial finance law in Connecticut.

Connecticut Bar Journal Board of Editors

Erika L. Amarante, Chair

Purpose

The Board of Editors is charged with the responsibility of producing, editing, and publishing the *Connecticut Bar Journal*, the official publication of the Connecticut Bar Association. The bylaws of the CBA mandate publication of Formal Opinions of the Committee on Professional Ethics and the Committee on Unauthorized Practice of Law in the *Connecticut Bar Journal*. The *Connecticut Bar Journal* also publishes scholarly articles of interest to the Bar.

Annual Report

Meetings

The Board of Editors generally has one to two meetings per year.

Publications

We publish four issues a year.

Connecticut Council of Bar Presidents

Keith Bradoc Gallant, Chair

Purpose

Established in 1975, the Connecticut Council of Bar Presidents' primary purpose is to provide a forum for the exchange of ideas, activities, and information between the CBA and county, metro, and specialty Bar associations. Other objectives of the council are to enhance the relationship between the legal profession, the general public, the news media, and the members of the General Assembly; to advance the leadership of the organized Bar in matters of public importance in the state; to promote the standing of the legal profession and practitioners; and to improve the practice of law and the administration of justice.

Annual Report

The CCBP held two meetings during the 2010–2011 Bar year. The first, on January 25, 2011, consisted of a presentation by Donald Philips, CBA government relations counsel, on 2011 legislative proposals confronting the legal profession. The second, on April 26, 2011, was a presentation by The Honorable William Bright, chair of the Pro Bono Committee of the Judicial Branch's Public Service and Trust Commission, on pro bono and other initiatives. Barry Hawkins, CBA president-elect for the 2011–2012 Bar Year, will serve as chair of the CCBP for the next 12 months.

Standing Committee on Dispute Resolution in the Courts

Frances Z. Calafiore, Co-chair
William DeVane Logue, Co-chair

Purpose

The goals and purposes of the committee shall be to make recommendations to the Judicial Branch and the legislature concerning appropriate policy statements on the use

of alternative dispute resolution; the rationale and goals for expanding a court-connected ADR system; and recommendations and proposed uniform rules and legislation regarding programs, standards, and qualifications of programs and neutrals, screening and referral mechanisms for private ADR services, fees, and funding mechanisms, ethical standards for attorneys, neutrals, and providers; and educational program goals for judges, court personnel, lawyers, and the public.

Annual Report

As a whole, the committee has been quiescent this year. The co-chairs did meet on several occasions to discuss the status of the standing committee's draft report and the future role of the committee. The co-chairs had informal communications with representatives of the Judicial Branch and, at the request of the Judicial Branch, action on the report and the future of the committee's work was held in abeyance. At this time, the Judicial Branch has established an ADR commission. The co-chairs are monitoring the work of the commission and may reconvene and/or comment as appropriate on any report of the commission.

Education Law Committee

Winona W. Kimberlin, Chair

Purpose

The purpose of the committee is to bring together education lawyers to discuss matters of mutual interest. Lawyers who practice in the area of special education, labor law, hearing officers, litigators, and lawyers who are teachers and school administrators are members. Committee members represent boards, parents, and teachers.

Annual Report

Meetings

Our annual legislative developments meeting is scheduled. We will hear about recent legislation in the Connecticut legislature regarding new statutes affecting education. Mandatory in school suspensions has been a big change this year. We also sponsored a meeting on student loan law.

CLE

The Education Law Committee put on a CLE seminar which covered a myriad of topics: discipline in the schools, higher education hearings, special education in the technical high schools, homeless children, and restraint and seclusion.

Publications

We have a chapter on education law in the *Connecticut Lawyer's Deskbook*, which explains the basics of education law.

Fair and Impartial Courts Committee

William H. Clendenen, Co-chair
James T. Shearin, Co-chair

Purpose

The Fair and Impartial Courts Committee was established by the Connecticut Bar Association to assist our state and federal judges when confronted by systemic attacks on their proper functions and from unfair and inappropriate criticism or assault, whether from individuals, organizations, the press, or other sources that are political and/or private in nature and which undermine the independence and fairness of the judicial system. We also investigate any issues that may arise concerning judges who may be questioned because of actions arising while performing their judicial role, particularly when these issues arise during reappointment or the appointment process (for our sitting judges nominated to the appellate or Supreme Court).

Annual Report

The committee met this past year on a periodic basis, together, and with members of the Judiciary, to discuss the committee's business. We tracked legislation and other political actions by the governor and General Assembly to determine whether action was necessary by the committee to support the Judicial Branch. The committee is also undertaking an effort to increase the awareness of the importance of judicial independence by writing a series of articles this year, along with presenting a symposium on the subject in November of 2011.

Indian Law Committee

Andrew L. Houlding, Chair

Purpose

The Indian Law Committee focuses primarily on developments in the law applicable to the federally-recognized Indian tribes in Connecticut, the laws enacted by those tribes, and practice and procedure in the tribal courts established by the Mashantucket Pequot Indian Tribe and the Mohegan Tribe of Indians of Connecticut. Most committee members practice in the tribal courts or litigate issues related to tribal interests.

Annual Report

The committee is meeting jointly in June with the Mashantucket Bar Committee at the Foxwoods Casino for a discussion of developments in Indian Law. The committee did not hold a CLE program during this Bar Year but will be discussing proposals for such a program in the fall.

Law-related Education Committee

Norman K. Janes, Chair

Purpose

The purpose of the Law-related Education Committee is to plan and build the CBA's Law-related Education (LRE) programs. The LRE programs include but are not limited to: the Connecticut Court Visitation program, the Bill of Rights in Action program, Mock Trials program, and the Adult Civic Education program.

Annual Report

Meetings

December 16, 2010

March 15, 2011

May 24, 2011

Other Programs and Events

Adult Education Programs

On May 4, 2011, Attorney Robert Kolesnik held a discussion on eminent domain at the Oliver Wolcott Library in Litchfield, CT. The Wolcott Library has expressed interest in continuing similar programs throughout the year.

Law Day

The CBA partners with the New Britain public schools each year for Law Day with a series of contests for elementary and middle school students. This year's theme was "As one of the Founding Fathers of our country, John Adams supported independence and the formation of a democracy separate from the British monarch. Like most other concepts, the idea of democracy has evolved since America's independence. What does democracy mean in 2011?"

Law Day Video Contest

This year the CBA sponsored the 2nd annual Law Day Video contest for Middle (Grades 6–8) and High School students (Grades 9–12). The Law Day 2011 theme was *The Legacy of John Adams: From Boston to Guantanamo*. With this national theme, the Connecticut Bar Association asked students to make a three-minute video that answers the following question: "As one of the Founding Fathers of our country, John Adams supported independence and the formation of a democracy separate from the British monarch. Like most other concepts, the idea of democracy has evolved since America's independence. What does democracy mean in 2011?" Winners from both categories received a Nikon D5000 Digital/Video camera for their school's Audio/Visual department.

Task Force on Civics Education

Members of the committee assisted the Task Force on Civics Education's work towards its goal of recommending policy positions to the CBA that will enhance civics education in Connecticut schools.

Constitution Day

For the first time, the CBA organized an effort to help Connecticut schools meet their obligations for Constitution Day. Schools that receive federal money are obligated to provide programs relating to the United States Constitution each September 17. The CBA recruited members to visit interested schools to make presentations. Volunteers made presentations to a total of 32 schools.

The committee is already at work to make Constitution Day 2011 even more successful. A subcommittee is at work to develop new, more focused materials, and re-

cruitment of schools and volunteer presenters will begin earlier.

This report was written before the end of the school year, so the participation numbers are not in yet for programs such as the Connecticut Court Visitation program and the Bill of Rights in Action. More than 3,000 students usually take part in the Connecticut Court Visitation program.

Lawyer-to-Lawyer Dispute Resolution Committee

Dale P. Faulkner, Chair

Purpose

The purpose of the Lawyer-to-Lawyer Dispute Resolution Program is to provide a mechanism for resolving economic disputes between lawyers that is quick and efficient, cost-effective, and beneficial to the judicial system. The program improves relations between attorneys and alleviates some additional burden on our court system.

Annual Report

As we enter our 21st year, the program continues to offer three resolution options: (1) mediation only, (2) mediation followed by binding arbitration of all issues not resolved through mediation, and (3) arbitration only.

For the fiscal year 2011 to date (April 1, 2010 through March 31, 2011), staff reports the following activity:

Opened from 2009:	1
New files opened:	11
Resolved by mediation:	6
Resolved by arbitration:	2
Mediated but not resolved:	1
Settled by parties prior to arbitration hearing:	0
Cases pending:	3

The CBA provides a valuable service by ensuring that lawyers can be reviewed and judged by their peers in a confidential and professional manner. Program partici-

pants are very satisfied with the program judging by the letters of thanks received by mediators and program staff.

Legislation Review Committee

Keith Bradoc Gallant, Chair

Purpose

The Legislation Review Committee reviews proposals for legislation and positions on legislation, and makes recommendations to a governing body of the association whether such proposals or positions, as the case may be, should be authorized. It conducts a thorough analysis of the requested authorization, the underlying legislative or regulatory issue, the impact on the Bar and on Connecticut law, and whether the requested authorization is inconsistent with any other legislative position being taken or having been taken by the association or any of its sections or committees. The Legislation Review Committee is appointed annually by the president and consists of not fewer than seven (7) nor more than nine (9) members of the association, not including the chair, each of whom shall be members of the House of Delegates or the Board of Governors, but not a member of the executive committee. The Legislative Review Committee is chaired by the president-elect of the association.

Annual Report

The Legislation Review Committee scheduled telephonic meetings at 9 a.m. on each Friday (except April 22, when the committee met on Thursday, April 21) from January 14, 2011 through April 29, 2011. The committee also held meetings on an as needed basis before January 14, 2011 and after April 29, 2011.

Liaison with State Government and Courts Committee

Jay W. Jackson, Chair

Purpose

The purpose of the committee is to discuss matters of mutual interest among those who administer our state court system and who are regularly engaged, as judges and attorneys, in the actual administration and functioning of the system on a day-to-day basis. The objective is to give input to administrators and attempt to improve and/or modify the system to the extent necessary and possible.

Annual Report

Throughout the year, the committee met with its membership at the Hartford Marriott in Rocky Hill. The meetings were informal and enlightening. The committee consists of the chief court administrator, deputy chief court administrator, chief administrative judges of the various divisions of the Judicial Branch, and several active, practicing attorneys with extensive experience in conducting trials with our state courts.

Guests at the meetings included: Chief Justice Chase T. Rogers; State Senator Eric Coleman (D-Hartford), Senate Judiciary Committee chair; State Representative Gerald Fox (D-Stamford), House Judiciary Committee chair; State Senator Paul R. Doyle (D-Wethersfield), Senate Judiciary Committee vice chair; State Senator John Kissell (R-Enfield), Senate Judiciary Committee Ranking Senate member; State Representative John W. Hetherington (R-New Canaan), House Judiciary Committee ranking member; and State Representative Gary Holder-Winfield (D-New Haven), House Judiciary Committee vice chair.

Members and guests have discussed a wide range of subjects involving the executive, legislative, and judicial branches. Special efforts have been made to inform the membership of the Connecticut Bar Association that the committee should be used as a conduit to convey suggestions and constructive criticism to those making the decisions in each of the three branches.

The chair and the entire committee feel that the meetings and resulting dialogue have helped improve the system by

contributing to a better understanding of the problems facing Bench and Bar.

Membership Committee

Stephen J. Curley, Chair

Purpose

The CBA Membership Committee shall have between five and seven Members who shall be appointed by the President to staggered three-year terms, and shall include a Member of the House of Delegates and a Member of the Young Lawyers Section. The Executive Director shall be an ex-officio member. The committee's duties shall include the promotion and reaffirmation of membership in the Association by, among other approaches, affirmatively reaching out to the diverse lawyer population of Members and potential Members. Consistent with the Purpose of the Association, the Committee should advocate the highest level of professionalism, emphasize the common interests of the members of the profession, and foster inclusion within the Association of a broadly diverse membership.

Annual Report

The CBA Membership Committee has had a very productive year. The Committee's primary focus has been to continue to monitor and evaluate, on an active and ongoing basis, the CBA's membership programs, services, and benefits for its 9,700 members. The 2010-2011 Membership Committee consisted of the following members: Chair Stephen J. Curley; Secretary Jonathan Weiner; Jim Nugent; and John Bonee. CBA President Ralph J. Monaco served as member ex-officio of the Committee. Staff advisors included D. Larkin Chenault, Executive Director; Holly Spina, Director of Membership and Development; Laurie Nivison, Marketing Specialist; and Tom Ciuba, Public Relations Specialist.

Specific initiatives of the Committee included:

1. Legal Research Product Task Force

With the assistance of CBA President Ralph J. Monaco, the Committee engaged in a collaborative effort with several CBA members outside of the Committee (representing diversity in the areas of age, years of experience, firm size, and areas of practice), to be members of the "Legal Research Product Task Force." With the Ca-

semaker contract ending August 2011, this Task Force was charged with evaluating the merits of the new CasemakerElite, Loislaw, and Fastcase products. Scoring materials were developed and trial licenses were distributed to all Task Force members to assist in the evaluation process. An RFP was created and distributed to all three vendors, resulting in a final in-person presentation at the CBA Law Center from representatives of Casemaker and Fastcase. After a thorough analysis of these two products, including input from all Task Force members as well as other state bar association references, the Task Force moved to recommend that the CBA adopt CasemakerElite as its legal research product for the Association. The motion carried on May 18, 2011. Attorney Curley will report to the House of Delegates at the June 20, 2011 meeting. The Committee wishes to thank the following non-committee members for their participation in this Task Force: Kenneth L. Laska, Jim Nugent, Kelly Rear-don, Howard B. Schiller, and Daniel A. Schwartz. Additional CBA Staff Advisors included Amanda Evans, Director of CLE and Mary Etter, Director of Operations.

2. New and Existing Membership Campaigns

The Committee has continued to assist CBA staff to coordinate on the implementation and planning of a series of general and targeted membership recruitment drives, which were executed last fiscal year. Existing campaigns included Sustaining Membership, 100 Percent Club (large firms), Section Memberships, and Paralegals. The Sustaining Membership Campaign generated support from 106 members. The 100 Percent Club campaign resulted in participation from 40 firms (out of 96 large firms identified in CT). As of April 2011, section membership was at 105.93% of its budgeted revenue and the Paralegals Committee had increased its membership from 30 members to 137 members (primarily due to the new free membership offered to paralegal students).

New membership campaigns, which are still ongoing, included targeting non-practicing attorneys, focused on reaching out to hundreds of non-practicing attorneys employed in other industries, such as wealth management, who may want to join the CBA for networking opportunities. Another campaign includes reaching out to newly-elected government officials, which include newly-elected probate judges, among other leaders.

Over the course of the 2010-11, the CBA staff was able to develop comprehensive tabulations for overall membership over the last twenty years. The Committee quickly identified that the trend in membership levels has been

declining over the last decade and that bold action was needed to increase membership.

In March, the Association was fortunate to receive a list of all admitted attorney's from the State of Connecticut. Over several meetings, the Committee discussed how best to utilize this new information. On June 8, 2011, the Committee unanimously adopted a recommendation that the House of Delegates authorize special, 2011-12 memberships to first-time members at the rate of \$99 beginning in September, 2011. If approved, the memberships would be offered through an email solicitation campaign in order to minimize expense.

Lastly, the Committee has begun collaborating with the new CBA Diversity Committee, chaired by Atty. Sung-ho Hwang, to develop dual membership proposal with the local diversity bars. The Committee will also explore the relationships between the CBA and other Affinity Bars, also to include joint membership opportunities and added ways for the CBA to provide logistical support to these groups.

3. Dues Collections and Membership Renewals

As of **June 1, 2011**, the CBA membership consisted of **9,668 members**, including:

- 8,663 Member Attorneys
- 795 Student Members (Law Students and *new* Paralegal Students)
- 210 Associate Members

This figure compares to **9,794 members** at the **start of the FY10-11** bar year, including:

- 9,091 Member Attorneys
- 515 Law Student Members
- 188 Associate Members

Although overall membership numbers have declined this year, the CBA has seen an increase in overall dues revenues, due primarily to the revised dues structure approved by the House of Delegates last year (the dues schedule "steps" were reduced from ten to seven levels). Additionally, the CBA has engaged several telemarketers to assist in the renewal and new member recruitment efforts, through the aforementioned membership campaigns.

4. Vendor Affinity Relationships

In addition to our current robust member benefit portfolio, the Committee approved the following affinity providers: FedEx Office, Staples Advantage, Affiniscape (credit card processing through "LawPay"), and Clio Office Management (online legal practice management software). With the assistance and appreciation of CBA member Laurie Bloom, who initiated the need to assist attorneys who are out of work, the Committee also supported entering into a new affinity relationship with Job-Target, a third-party operator of job boards. This resource will be hosted on the CBA's web site for all members. These affinity partner relationships are at a zero cost to the CBA, and are based on revenue-sharing agreements.

The CBA Staff will continue to make recommendations to the Committee, based on continual member surveys and feedback. These recommendations will also include our member credit card benefit, currently offered through Bank of America (this contract expires the end of August).

5. CBA Legal Directory

With the past support and feedback of the Committee, the CBA will debut the new "CBA Legal Directory" in fall 2011. This directory will provide a listing of all licensed attorneys in CT and will replace the current CBA Lawyers' Diary. The CBA has contracted with Harris Connect, a third-party directory/database provider. With the assistance of the Judicial Branch and the CBA, all of the licensed attorneys will be notified of this new directory in June 2011. Pre-orders will start in late June with a delivered product in November 2011.

Special Thanks

The Membership Committee would like to recognize all of its members and CBA Staff for giving their time and talent throughout this year for the benefit of all CBA members. The Committee also thanks the House of Delegates and the Executive Committee for their continued support and counsel. The Committee will continue to strengthen membership recruitment, retention, and service again next year, starting with a review and detailed look at the results of the aforementioned membership campaigns and benefits.

Pro Bono Committee

Barry C. Hawkins, Chair

Purpose

The charge of this committee is to increase the availability of free legal services to indigent Connecticut residents through recruitment, support, and training of private attorneys and by other appropriate and effective programs and projects.

Annual Report

The Pro Bono Committee, principally comprised of members of the private Bar, executive directors, and other staff of the state's legal aid agencies, paralegals, and the Connecticut Bar Association (CBA) public service specialist, met monthly (with the exception of November 2010 and January 2011) with the objective of raising the consciousness of lawyers throughout the state as to their professional responsibility to ensure access of our judicial system for the neediest of Connecticut residents. In addition, a subcommittee of the Pro Bono Committee dealing with the state's foreclosure crisis in residential housing met three times to share information and strategies related to this service clientele. Volunteer services are provided through the Connecticut Pro Bono Network, which is a list of lawyers maintained by the CBA who have indicated over the last several years a willingness to handle pro bono cases. Since the 1990s, over 3,800 lawyers have taken at least one case. In 2009, 758 members of the network accepted cases and in 2010, 930 members of the network accepted cases.

Meetings

Monday, September 27, 2010

Monday, October 8, 2010

Monday, November 15, 2010

- Cancelled

Monday, December 20, 2010

Tuesday, January 18, 2011

- Cancelled

Tuesday, February 15, 2011

Monday, March 21, 2011

Monday, April 18, 2011

- Moved to Monday April 25, 2011

Monday, May 16, 2011

Monday, June 27, 2011

Foreclosure Subcommittee Meetings

September 27, 2010

January 18, 2011

- Cancelled

April 18, 2011

CLE, Seminars, and Trainings

A core activity of the committee has been training volunteer attorneys and paralegals. The Pro Bono Committee sponsored several successful CLE seminars, including the first pro bono Military Discharge Upgrade Training which was held at Yale Law School in spring 2011. Seminars are held at the CBA Law Center, unless otherwise noted. This year's seminars were:

- December 9, 2010—Pro Bono Foreclosure Prevention Training, Bridgeport
- December 14, 2010—Pro Bono Foreclosure Prevention Training
- December 15, 2010—Pro Bono Foreclosure Prevention Training, Eastern Connecticut State University, Willimantic
- January 1, 2011—School Expulsion Hearings Training
- March 16, 2011—Pro Bono Seminar: How to Represent a Client Who Lives in a Car
- April 20, 2011—Security Deposits: Get the Money Back—Everything You Need to Know to Help a Tenant (or Yourself)
- April 27, 2011—Military Discharge Upgrades, Yale Law School, New Haven

Without the volunteer efforts of CBA members in Connecticut there would be no Pro Bono Committee.

Publications

The "Time to Go Pro Bono" column in the *Connecticut Lawyer* continued throughout the 2010–2011 Bar Year. In each issue, a different member of the committee wrote a column about pro bono opportunities, events, or volunteers to highlight the great works that are happening regarding pro bono in Connecticut. This column has been a great success and it will continue during the 2011–2012 Bar Year.

Legislative Efforts

The chair of the Pro Bono Committee, along with the other service officers of the CBA, lobbied all of the members of the Connecticut Congressional delegates in April 2011 for ABA Days in Washington, DC. The primary focus of the lobbying effort this year was to restore funding for the legal services corporation in FY2012 to the point where Pro Bono Services could be sustained.

Pro Bono Awards

The Pro Bono Awards are given to outstanding volunteers at the Annual Meeting Bench/Bar Luncheon. The committee voted to give awards to outstanding pro bono volunteers. The attorney recipients are: Ashley M. Van Valkenburgh, John F. Slane, Jr., Janine M. Becker, Gail A. Bedoukian, and Carole Ann Masters.

Professional Discipline Committee

Richard A. Cerrato, Chair

Purpose

The Professional Discipline Committee is the voice of the Connecticut Bar Association in lawyer discipline, spearheading and coordinating efforts towards the improvement of professional discipline and responsibility in Connecticut. The committee is charged with the responsibility of reviewing the procedures involved in disciplining attorneys and drafting, or assisting in drafting, changes to the Rules which govern the Statewide Grievance Committee, Statewide Bar Counsel, the superior court, and the Bar. The committee prepares the Professional Discipline Digest, which appears four (4) times a year in *Connecticut Lawyer* magazine.

Annual Report

Meetings

The Professional Committee has met four times during the membership year and is scheduled to meet again on June 1, 2011. Our agenda items include proposed rule modifications to the Superior Court Rules that have originated from the offices of the Statewide Grievance Committee and the Statewide Bar Counsel. The committee has formally opposed a Rule change that would prohibit retired, inactive, disbarred, or suspended attorneys from employment in any capacity by another attorney or law firm. This proposed amendment would have subjected the lawyer(s) employing such an individual to discipline. The committee was concerned that such a rule was overbroad and it is working with the Office of Chief Disciplinary Counsel to develop more appropriate language.

Publications

Committee members have prepared the Professional Discipline Digest and some have been published in *Connecticut Lawyer* magazine.

The committee is continuing to create a database of all grievance decisions.

Legislative Efforts

The committee has two members serving as legislative liaisons who monitor those bills that impact lawyer discipline.

Standing Committee on Professionalism

Louis R. Pepe, Chair

Purpose

The mission of the Connecticut Bar Association Standing Committee on Professionalism is to enhance the level of professionalism among lawyers and judges and to promote their commitment to the *Lawyers' Principles of Professionalism* (adopted by the Connecticut Bar Association House of Delegates on June 6, 1994), by: (1) encouraging, recommending, and providing assistance to CBA committees and sections in the development and coordination of professionalism initiatives; (2) encouraging and providing assistance to local Bar associations, law schools, and the judiciary in their efforts to improve professionalism; (3) educating members of the legal profession and the public about professionalism issues; and (4) identifying, evaluating, and reporting on trends and developments affecting lawyer professionalism and proposing and implementing programs to address them.

Annual Report

Programs and Events

The committee conducted its signature event, the Bench-Bar Professionalism Symposium, in the Fairfield Judicial District on November 5, 2010. The event was attended by more than 200 lawyers and judges, who uniformly reported substantial benefit from the program. The committee has conducted the symposium in a different Judicial District every year for the past ten years, and this November it will be presented in conjunction with the Waterbury and Litchfield Bar Associations on November 4, 2011.

Committee on the Resolution of Legal Fee Disputes Report

William H. Champlin III, Chair

The rule changes providing for minimum continuing legal education (MCLE), now pending before the Superior Court Rules Committee, received substantial attention from the committee during the past year. It was the consensus of the committee that the proposed rules, which were adopted by the CBA House of Delegates on March 12, 2007, should be adopted by the Rules Committee as soon as possible. Accordingly, the committee obtained the agreement of the CBA president, his executive committee, and the chair of the Continuing Legal Education Committee, to rejuvenate efforts in that regard. This has resulted in meetings with the leadership of various local Bar associations to ensure their support before the matter is resurrected before the Rules Committee this coming fall.

The Standing Committee on Professionalism has also committed its support to the recently appointed Mentoring Task Force II, which is co-chaired by the Honorable Kenneth Shluger, a member of the committee, and on which two other committee members serve. The objective of the task force is to carry forward the work of the first task force on this issue and implement a statewide mentoring program for new admittees to the Bar who would otherwise not have a mentor to guide them in the customs, usages, and standards of professionalism of the Bar during their first year as lawyers.

The committee's Law School Liaison Subcommittee, chaired by Carrie Kaas, moved its objectives forward by meeting with deans and faculty members of Quinnipiac Law School, UConn Law School, and Western New England Law School to identify the specific programs that would best meet the needs of that particular law school in its efforts to inculcate in the students the need to maintain the highest standards of professionalism once they are admitted to the Bar.

The undersigned would like to take this opportunity to thank the committee members for their ongoing work to enhance professionalism, and for the full support for that endeavor the standing committee has always received from the Judicial Branch.

Purpose

For the past 33 years, the Connecticut Bar Association, through its Resolution of Legal Fee Disputes Program, has provided a solution to lawyers and clients who have reached impasse over a legal fee dispute. The program is free, informal, and impartial. Whether through mediation or arbitration, the attorney and client have the opportunity to present their positions to disinterested third parties. In the case of arbitration, a hearing panel comprised of three volunteers (two attorneys and one lay person) decide the case based on written and oral presentations from both sides.

The Committee on the Resolution of Legal Fee Disputes consists of 40 members of the Connecticut Bar Association appointed by the president of the association for three-year terms. The activities of mediation and arbitration are conducted by the Legal Fee Resolution Board. Members of the committee represent all judicial districts in Connecticut and form a broad spectrum of the Bar both from firm size and type of practice. The committee provides a base of 40 members of the Legal Fee Resolution Board. The board also includes additional members of the association who do not serve on the committee but nevertheless provide voluntary and important service to the community by serving on panels for the purpose of binding the arbitration. Lay persons from throughout the state are also members of the Legal Fee Resolution Board and serve on all of its arbitration panels.

Annual Report

Meetings

In 2011, the committee and the board members met on January 19, 2011, to discuss the committee's rules and the status of the committee and its activi-

ties and programs. The committee members considered adding a fee to the program to provide an offset for Connecticut Bar Association (CBA) costs incurred in administering the program. The committee noted the excellent and dependable performance of Marie Langenfeld as the CBA's liaison to the committee and board. A final decision was not reached regarding the imposition of a nominal fee for services of the board, but the committee will work with the association to develop a proposal for such a nominal fee in the next year.

This year, the president of the Connecticut Bar Association added an additional 10 new members to the committee and to the board. At this time, the committee has a complete compliment of 40 attorneys, but the board has available spaces for members of the CBA who may wish to assist the board in its services to the community by way of arbitration and mediation.

During the year from June 2010 to May 31, 2011, attorneys or clients filed 67 new disputes with the committee. In the same period, 31 of these matters were settled or closed without the need for a final hearing. Unfortunately in a number of instances, the client refused to participate in the program and the attorney did not have in the fee retainer agreement a commitment to use the services of the Legal Fee Resolution Board to arbitrate any legal fee dispute. The board mediated or arbitrated 11 cases fully to conclusion. These matters were resolved without charge to the attorney or client. Finally, the committee is working diligently to schedule mediations and arbitrations for 34 open matters pending at this time from 2010–2011.

The committee appreciates the support of the Connecticut Bar Association in its important work.

Committee on Section and Committee Oversight

Keith Bradoc Gallant, Chair

Purpose

This committee is charged with the following tasks:

1. Oversee the structure of CBA sections and committees
2. Determine whether changes to sections and/or committees are appropriate, including but not limited to elimination, consolidation, and/or reclassification and make appropriate recommendations to the House of Delegates and president with respect to same.
3. Undertake such other tasks as the president and/or executive committee requests.

Annual Report

The Committee on Section and Committee Oversight is comprised of the following members in addition to the chair: John Logan, Amy Todisco, Andrew Cellemme, Brian Rice, Ira Bloom, Lawrence Morizio, Livia Barndollar, Howard Schiller, Jennifer Janik, Suzanne Caron, Rosemary Giuliano, and Stephen Curley. Mary Etter serves as the principal staff support person. The committee was created in December 2010 by CBA President Ralph Monaco. Barry Hawkins will become chair upon assuming the office of president-elect.

The committee's initial meeting on December 14, 2010, was devoted to discussion of its charge. That meeting generated a great deal of dialogue about the political and organizational questions that surround the section/committee structure and the potential issues we may encounter.

The committee reviewed the status of current sections and committees, breaking them down into the following areas: practice area, substantive area, administration, educational service to the profession, non-educational service to the profession, public relations, and service to the public. Subcommittees of the group were established to further delve into specific areas. Steve Curley is the chair of the minimum requirements and criteria discussion group, John Logan is the chair of the administration committees discussion group, Livia Barndollar is chair of the non-educational service to the profession committees discussion group, and Ira Bloom is chair of the section standards discussion group.

The committee plans to recommend the following to the House of Delegates this year:

- creation of governance criteria, activity requirements, and periodic audits for sections
- transition of all substantive and practice area committees into sections or their elimination or their merger into an existing section, and
- combination of two administration committees, the Legislation Review Committee and the Legislative Policy Committee, into one new committee known as the Legislative Policy and Review Committee

Standing Committee of Standards of Title

Denis R. Caron, Chair

Purpose

The Standing Committee on Standards of Title has the responsibility of (1) considering, formulating, and proposing new Standards of Title; (2) reviewing and updating present Standards of Title; and (3) soliciting suggestions from members of Connecticut's conveyancing Bar with respect to title matters where the formulation of new standards would be helpful.

Annual Report

Members

Dennis P. Anderson, Milford
Richard J. Beatty, Guilford
Denis R. Caron, Rocky Hill (Chair)
George H. Jackson III, Danielson
James A. Nugent, Orange
Michael W. Sheehan, New London
Ellen L. Sostman, Rocky Hill
William C. Stokesbury, Farmington
John D. Thomas, East Hartford

The committee is completing its work on a new chapter addressing title issues encountered in the area of leaseholds as well as a new chapter addressing conveyances by powers of attorney. Also, the committee is completing revisions to Standard 18.5, Effect of Unreleased Mortgages on Marketability of Title, which is probably the most frequently used of all standards. The revisions will help clarify some of the issues and concerns that have come to light since the time the standard was first adopted in 2000.

The committee is always attentive to requests or suggestions by the Bar regarding potential new standards or modifications or corrections to existing standards. Please feel free to contact any member of the committee with any such proposals.

Unauthorized Practice of Law Committee

Carl M. Porto, Chair

Purpose

The Unauthorized Practice of Law Committee (UPL) continues to receive inquiries, complaints, and requests for information regarding what does and does not constitute the authorized practice of law in the State of Connecticut. When appropriate, the Committee issues written "informal opinions" that are now available on the CBA Web site. The UPL Committee recently released an opinion regarding the question of whether an attorney not admitted in Connecticut can represent a college student attending a Connecticut college in a disciplinary hearing, and if so, could the attorney be admitted *pro hac vice* for the purposes of this hearing. Our committee opined that the attorney would be engaged in the unauthorized prac-

tice of law if he were to represent the student at the hearing, and while *pro hac vice* does not appear to be authorized in this circumstance by statute, there is a split of authority at the trial court level in Connecticut regarding such admissions depending on how the proceeding is characterized.

Annual Report

The UPL Committee and the Office of Chief Disciplinary Counsel continue to work closely on UPL issues, and the committee refers complaints and inquiries that involve UPL issues to that office for review, investigation, and enforcement when necessary. The overwhelming number of complaints and inquiries received by the committee concern services offered by out-of-state companies, banks, and non-admitted attorneys representing Connecticut clients in various aspects of Connecticut real estate transactions.

The committee has again supported proposed legislation raising the penalty for the unauthorized practice of law in Connecticut from a misdemeanor to a felony under Section 51-88. There continues to be a concerted effort by the CBA, the Office of Chief Disciplinary Counsel, and the Office of the Chief State's Attorney to increase the penalty for the unauthorized practice of law to a felony. For the third year in a row, despite modifications to the proposed bill and testimony before the Judiciary Committee, the bill has not yet received legislative approval. The elevation of the penalty for the unauthorized practice of law in Connecticut from a misdemeanor to a felony continues to be a priority for the UPL Committee.

Finally, companies and individuals through Web sites that offer legal services and, therefore, engage in the unauthorized practice of law in Connecticut continue to be an issue, and one that must be recognized and responded to. As reported previously, these activities have been the focus of the special task force chaired by former CBA President Lou Pepe. Mr. Pepe has met with the Commissioner of the Department of Consumer Protection to determine whether that department has a basis to take action. The task force and the UPL Committee will continue to combine their efforts in this regard.

As I have previously indicated, the business of the UPL Committee continues to be active, and I again wish to thank all of the committee members for their time, effort, and hard work.

Veterans and Military Affairs Committee

John K. Jepson, Chair

Purpose

This committee acts as an advisor to the CBA in offering assistance to active-duty military personnel residing in the state and Connecticut residents stationed outside the state, and to the military legal assistance staffs which serve them, and identifies and assists in the resolution of legal problems facing any of Connecticut's military reservists and veterans.

Annual Report

Your Veterans and Military Affairs Committee (VMAC) continued to help those military personnel and families in need of guidance and assistance. Contacts come from many sources including calls from Judge Advocate General offices within the United States and abroad, local Bar associations, attorneys practicing in Connecticut and elsewhere, CBA, a university in Connecticut, the Attorney General's office, and the like. Committee membership generally consists of prior service folks who have some knowledge of working with the services for military specific issues and also handle matters when geographically reasonable.

Assistance is provided in a multitude of areas and included dealing with very old motor vehicle court issues for a 100 percent post-traumatic stress disorder vet who was about to undergo a service-related operation at a hospital in the deep South. Without a license, he would not be able to train on a specially equipped vehicle. Another vet was in a nursing home and the government told the nursing home to pull his car keys and hold them even though he had a recent doctor's letter advising he could drive.

A number of committee members qualified as Veterans Service Officers at the voluntary CBA training last spring.

Assistance was also provided to a number of entities, through Employer Support of the Guard and Reserve at the Police Chiefs Association annual meeting, to the press for a magazine article, background to a TV reporter on an employment matter, and providing a presenter at the

Connecticut U.S. Attorney's Office First Civil Rights Conference.

The committee was represented at the Rocky Hill Veteran's Home Stand Down, which provides services to homeless and needy veterans. These include medical assistance, legal assistance by Connecticut's Statewide Legal Assistance folds on the civil side, a criminal court which deals with minor MVD matters and as appropriate clears a record so vets can get their licenses restored on site at no cost and thus have a better opportunity to get a job.

The CBA's newly formed Veterans Task Force also had representatives to provide assistance, including two past presidents, Fran Brady and Bill Prout. This task force works closely with the Connecticut Veterans Legal Center under the able guidance of CBA member Margaret Middleton.

VMAC extends its sincere thanks to the chairs of CBA's sections and committees for their help in providing recommendations of counsel skilled in particular matters and geographically available and also those folks who are so helpful working with the test Veterans Courts in New London County.

on the acceptance of the candidates recommended by the Examination Committee, so the recertification certificates can then be issued forthwith.

Of the 54 attorneys who were qualified as Board Certified Specialists in Worker's Compensation prior to the 2011 recertification, the number has now been reduced to 49 as a result of four Specialists not reapplying and one having submitted an application too late to be considered for recertification. This number is subject to change based on the Standing Committee's vote at the June 23, 2011 meeting as referenced above.

The Examination Committee will be offering another test sometime in the Spring of 2012.

During the last year, the Standing Committee's staff has been involved, as it has every year, in assisting other sections of the Bar Association that are considering, exploring, or attempting to qualify other recognized specialties for certification in the State of Connecticut.

Standing Committee on Workers' Compensation Certification

Michael R. Kerin, Chair

Purpose

The Standing Committee on Workers' Compensation Certification is responsible for administering the CBA program that evaluates, tests, and approves qualified attorneys as Board Certified Specialists in Workers' Compensation, pursuant to authority granted by the Rules Committee of the Connecticut Superior Court.

Annual Report

The Examination Committee is concluding its review of the 26 candidates who have applied for recertification as Board Certified Specialists in Worker's Compensation and has submitted a preliminary list of recommended applicants to the Standing Committee for approval. The Standing Committee will meet on June 23, 2011 to vote

Task Force Reports

Task Force on Certification of Specialization

Barry C. Hawkins, Chair

Purpose

This Task Force is charged with addressing the following subjects:

1. Should the Connecticut Bar Association be involved in certifying lawyers as specialists in particular practice areas?
2. If the answer to question 1 is affirmative:
 - a. Who should decide, in the first instance, whether the CBA should offer a certification program? (e.g. the CBA House of Delegates, particular Sections, etc.)
 - b. Recommend the procedure for proposing a certification of specialization program. (e.g. must there be a majority or super majority vote of a section at-large, should the vote only involve the section's executive committee, should the vote of the CBA House of Delegates require more than a simple majority, etc.)
 - c. Recommend the criteria to be used to determine whether a certification of specialization program is appropriate?
 - d. Recommend how a certification of specialization program should be funded?

Annual Report

The Task Force on Certification of Specialization is comprised of the following members in addition to the chair: John Bonee, Alice Bruno, Jeffrey Buebendorf, Barbara Collins, David Cooney, Daniel Daniels, Edward Hill, Daniel Krisch, and Sharon Pope. Amanda Evans serves as the principal staff support person. The Task Force was created in November, 2010 by President Monaco.

The Task Force's initial meeting on January 19, 2011 was devoted to discussion of its charge, a review of the material made available to the Task Force from the American Bar Association ("ABA") and the Connecticut Bar Association ("CBA") on the subject matter, and a discussion of a request from the Elder Law Section's Executive Commit-

tee to support the amendment of Rule 7.4A(e) of the Rules of Professional Conduct to include "Elder Law" as a field of law in which lawyers may be certified as specialists in Connecticut, as well as the Executive Committee's proposed definition of the practice of Elder Law.

In its March 2011 Report to the CBA House of Delegates, the Task Force unanimously concluded that the certification of specialization is growing nationally and in Connecticut and serves a valid and useful purpose which, if not met by the organized bar, will be and clearly already is being, supplied by entities other than the CBA. The Task Force concluded that a failure to lead in the certification of specialization will diminish the actual and perceived role of the CBA as a thought leader for all lawyers in Connecticut.

The March 2011 Report unanimously recommended that rational, articulated and understandable criteria be developed for HOD review so that the results are in fact and in perception, fair, reasonable, and uniformly applied to all Sections who wish to sponsor and administer such Programs. The selected criteria must be consistent with the promotion of fair and impartial treatment for all Sections of the Bar, whose programs can be qualified for approval under the Rules Committee Process. The approval of a Proposed Section Program by a majority vote of the HOD must be obtained before any CBA Section Proposal may be submitted to the Rules Committee of the Superior Court.

The March 2011 Report also affirmed a unanimous vote of the Task Force to approve the submission by the Elder Law Section of such a request without taking any position concerning whether the Elder Law Section could or should seek to be an approved provider of such certification.

The Task Force will recommend to the House of Delegates at its June 2011 meeting proposed uniform criteria to be used by the House of Delegates when performing its review function, as set forth in the March HOD Report. It is important to note that the proposed review criteria will not replace or supplement the required elements of a Section Proposal nor will they deal with the requirements imposed by the Rules Committee of the Superior Court.

The proposed criteria for HOD evaluation of section requests to establish a certification of specialization programs are as follows:

- Section Size
- Section Activity and Cohesion

- Demonstrated Financial Strength and Stability
- Ability to provide sufficient Continuing Legal Education to sustain a Specialization Program
- Adoption of procedures to ensure adequate Governance of the Certification Program
- Compliance of the Certification Program with the then applicable requirements of the Rules Committee Review

I would like to take this opportunity to thank the members of the Task Force for their diligent and thoughtful participation in making these recommendations to the House of Delegates on this important subject.

Task Force on Civics Education

Livia Defilippis Barndollar, Chair

Annual Report

This bar year, President Ralph J. Monaco had as a major initiative, a focus on the crisis in civics education in our schools. Interestingly, the ABA President simultaneously also had this as a focus of his Bar Year. Connecticut kicked off President Monaco's vision with an appearance and speech on the importance of civics education by Ret. Supreme Court Justice, Sandra Day O'Connor.

The Task Force on Civics Education, of which I, Attorney Livia DeFilippis Barndollar, served as chair was comprised of the Secretary of State, Denise Merrill; U.S. District Court Judge, The Honorable Mark R. Kravitz; Superior Court judge, The Honorable Susan B. Handy; Attorney Jonathan S. Weiner, Permanent Law Clerk to the Connecticut Supreme Court and incoming chair of the Young Lawyers Section; Attorney Beth Deluco, executive director of Civics First; Attorney Kathy Calibey; Attorney Matthew Gordon; Attorney Norman Janes; Attorney Nicole Bernabo; Attorney Christine Salmon (CBA Young Lawyers Section); and two teachers who have been the task force's guiding lights, Mrs. Candy Buebendorf, RHAM High School, Hebron, CT; and Mr. David Archibald, South Windsor High School, South Windsor, CT. In addition, President Monaco has been a very active member and staunch supporter of the task force.

The task force has met a number of times, first to educate its members as to the status of civics education in the schools of the state and the statutory requirements of civ-

ics education of Connecticut students, and, thereafter, to discuss potential programs to advance civics education.

The CBA with a group of the task force members conducted a training day for elementary school teachers. The CBA plans to continue to offer this training annually and expand it to other grade school levels.

Task force member Jonathon Weiner, incoming chair of the Young Lawyers Section, has developed a program to have CBA young lawyers go into classrooms all over the state this coming year and teach civics from a booklet developed by Judge Handy and printed by the Judicial Branch. This past bar year, CBA lawyers visited 26 classrooms throughout the state to talk about the importance of the U.S. Constitution on Constitution Day. Plans are already well underway to continue and broaden this outreach for this coming September and to enshrine this event as a regular, annual one.

The task force remains hard at work. Its members have already scheduled time together over this summer to develop materials for a presentation at the New England Regional Social Studies Consortium in the spring of 2012.

Potential programs and legislative objectives are on the horizon, as a result of the study, brainstorming, and decision making of the task force. At least one of these programs and objectives will be launched in tandem with the Office of the Secretary of the State; seeking legislation to require high school graduates to pass the citizenship test presented to naturalized citizens before their graduation from secondary school.

The task force is comprised of passionate members who have only just begun to try to breathe new life into education of the students of the state of Connecticut in civics.

Rule of Law Blog Task Force

Daniel P. Elliott, Co-chairs

Annual Report

The idea for the CBA's Rule of Law Blog was first proposed by Steven Greenspan in the aftermath of the CBA's June 2010 Rule of Law Conference. I was tasked with overseeing its creation and maintenance. Kim Knox and

Dan Schwartz serve on the Rule of Law Blog Task Force with me, and have been tremendous resources throughout this process. Kyle Sargalski provided excellent design work, and Tom Ciuba lead a great publicity effort. Michael Carrington and Tushar Shah were added to the Task Force, and have provided valuable input throughout. Solid team work led to the blog's launch in January of this year.

Since its launch, and as of the date of this writing, the blog has been accessed 3,712 times. While most of the readers are from the United States, the blog has a clear global reach as well. Notably, it has been accessed 141 times in Japan. The blog has been viewed by individuals in Russia, China, Iran, Jamaica, Greece, Fiji, Brazil, Moldova, Hong Kong, Belgium, Jordan, Nigeria, Indonesia, Colombia, Pakistan, Georgia, Spain, Lebanon, Uganda, South Africa, France, Austria, India, the United Kingdom, Ireland, Zimbabwe, Mongolia, Australia, Vietnam, Ukraine, Canada, the Netherlands, New Zealand, Venezuela, Luxembourg, Nepal, Germany, South Korea, Portugal, the Philippines, Bangladesh, Kenya, Israel, Malaysia, and Hungary, among others.

I have been in communication with Hongxia Liu, the executive director of the World Justice Project, regarding the blog. Ms. Liu praised the concept, and also commented to me that the WJP has "much to learn" from us. She has offered to link to our blog on the WJP's Web site, and to collaborate with us as we move forward.

A number of lawyers in the area have taken notice, and have linked to our blog on their own blogs. Those lawyers and blogs are N. Kane Bennett, Esq. of Glastonbury (<http://www.connecticutbusinesslitigation.com>) and Steven M. Basche, Esq. of Glastonbury (<http://www.baschelaw.com/blog3>).

The blog has also been promoted through articles in the *Connecticut Lawyer*, *Connecticut Law Tribune*, and *Connecticut Business News Journal*.

The blog's content has been a success, and has indeed exceeded the expectations of the task force. Currently, there are three broad categories of "blog posts" that we provide: (1) links to and discussion of relevant news items regarding the Rule of Law; (2) interviews with community leaders regarding the Rule of Law as it impacts their particular vocation; and (3) "guest blogs," whereby we invite various scholars and community leaders to pen blog posts regarding a specific figure or concept for the Rule of Law. The uniqueness of this blog lies in the second and third categories—interviews and guest blogs. By my

search, the CBA's Rule of Law Blog is the only blog of its kind in this regard.

Our interview series began with a joint discussion with Fran Brady, Steven Greenspan, and Wesley Horton on the Rule of Law. We also recently published a lengthy interview with Robert J. Alpern, M.D., the Dean of Yale's Medical School, on the interplay between the Rule of Law and the health care profession. An interview with former U.S. Solicitor General Drew Days and his views on the Rule of Law was published. We have spoken with the Kaufman Foundation for Legal Reform in Saint Louis, Missouri, and plan to interview Robert Litan, one of its directors.

The "guest blogger" series has been a success. Superior Court Judge Henry Cohn penned a piece on Abraham Lincoln and the Rule of Law. We have featured a piece on the Bible and the Rule of Law, and the contributors to that piece were Monsignor John McCarthy from the Catholic Archdiocese of Hartford and Rabbi Yitzhock Adler from Beth David Synagogue in West Hartford. We have reached out to William Wiecek, a law professor at Syracuse University and author of Volume 12 of the History of the U.S. Supreme Court, to author a post on Oliver Wendell Holmes.

The task force has big plans for the future. We intend to reach out to Governor Malloy and Attorney General Jepsen for interviews. We are also hoping to secure an interview with Bill Neukom, owner of the San Francisco Giants, former general counsel for Microsoft, and founder of the World Justice Project. We also intend to begin a series on the Rule of Law in other countries, and will reach out to Bar leaders from various foreign nations to discuss Rule of Law issues in their countries. A further feature that we intend to pursue is a blog post discussing the Rule of Law in the context of sports. We intend to invite George Will (Trinity graduate, avid sports fan) and Alan Page (Associate Justice on the Minnesota Supreme Court and Hall of Fame football player from the Minnesota Vikings) to participate.

The biggest task ahead is to increase the visibility of the blog as well as its total amount of hits. We want to ensure that the quality material on the blog is being enjoyed by the widest audience possible. We will be doubling our efforts on that score in the coming months.

Please do not hesitate to contact me with any questions or comments.

Veterans Affairs Task Force

John R. Bashaw, Co-chair
William H. Prout, Jr., Co-chair

Purpose

To provide pro bono support to veterans in need of assistance before the Veterans Administration and with regard to more traditional challenges.

Annual Report

Under the continuing leadership of Immediate Past President Francis Brady, the Veterans Affairs Task Force has had a busy and productive year.

Training for Volunteer Attorneys

In the spring of 2010, the Connecticut Bar Association sponsored a training program for volunteer attorneys with regard to assisting Connecticut veterans on a pro bono basis in connection with matters before the Veterans Administration. Some 50 volunteer attorneys participated in this program. They learned the fundamental requirements of the eligibility criteria and the various aspects of the corresponding benefits (e.g., service connected compensation, presumptive service connection, and non-service connected pensions). After successfully completing the program, these volunteers were certified to represent veterans in matters ranging from *De Novo* Reviews to formal appeals to the Board of Veterans Appeals.

Since the 2010 training session, a number of volunteer attorneys have provided assistance on a pro bono basis. Special recognition should be given to the attorneys at the firm of Robinson & Cole LLP who have taken a disproportionately high number of the veterans' cases during the past year. More than 75 CBA member attorneys have signed on to this pro bono effort. They have volunteered to participate in the described representation regarding the Veterans Administration matters or in connection with more traditional pro bono matters (e.g., housing, family, misdemeanor offenses) or both.

On April 27 of this year, the Connecticut Veterans Legal Center (CVLC) in conjunction with the Yale Law School and with the assistance of the CBA organized a program to train volunteer attorneys to assist veterans seeking an upgrade to their military discharge status. The training educated volunteers about the military discharge proce-

dures, the remedies available to veterans seeking an upgrade, and practical and strategic considerations for an attorney handling one of these cases.

Pro Bono Efforts

An integral aspect of the veterans' assistance project is its coordination of volunteer attorneys with the prospective clients. In that regard, the CBA has joined with the CVLC and the Statewide Legal Services (SLS). Through both SLS and the CVLC, veterans in need are identified and referred to volunteer attorneys who have identified an interest in representing the veterans through the CBA's pro bono network. Under the guidance of Jan Chiaretto, Jane Kinney-Knotek, and John Bozzi, the SLS has implemented a telephone assignment system to link clients to the available volunteer attorneys. As a matter of procedure, when prospective clients contact the SLS, an inquiry is made as to their veteran status. If in the affirmative, the matter is referred to a CBA attorney who has specifically indicated an interest in taking such cases. In addition, the SLS receives direct referrals from CVLC which are similarly linked to the CBA volunteers.

Under the leadership of Attorney Margaret Middleton, the CVLC continues to be a very important partner in the veterans pro bono initiative. The CVLC is a nonprofit organization dedicated to providing free legal services to homeless and mentally ill veterans. The CVLC sees clients at the VA Connecticut's Errera Community Care Center. The Errera Center is a very active facility providing a wide range of services to veterans (e.g., counseling, job training).

Plans for Future Programs and Initiatives

Through the leadership of Sharon Pope, the Elder Law and the Estates and Probate Sections have developed a program which has received the approval of the CBA House of Delegates. The defined goal of the program is "to both assist veterans with limited means in simple estate planning, including document preparation and execution (simple wills, health care directives, powers of attorney), and to 'spread the word' about the value of veterans benefits by encouraging the section's attorneys to offer seminars and workshops to veterans groups." To implement this goal, the sections are working with the CVLC to organize simple estate planning workshops three or four times per year, each in a different part of the state with specific locations defined by the concentration of low-income veterans. The first such program is being planned for this spring at the Vet Center in West Haven. In addition to the devotion of their time to this effort, these sections have allocated approximately \$7,500 of sections' funds to finance the program.

Notwithstanding the good efforts of Statewide Legal Services and the Connecticut Veterans Legal Center, a number of volunteer attorneys have not yet received pro bono assignments. To expand the outreach to veterans in need, we are in the process of contacting the Veterans Affairs Liaisons located in the various congressional offices. We expect that this effort will result in additional referrals to our volunteer attorneys.

In the fall of 2010, the CBA sponsored a booth at the annual Stand Down held at the Rocky Hill Veterans Facility. CBA attorneys participated during the course of the day, and a number of veterans received legal advice through that process. We expect to participate again in September of this year.

Complete Listing of 2010-2011 CBA Sections, Committees, and Task Forces

Sections

Administrative Law Section
Alternative Dispute Resolution Section
Antitrust and Trade Regulation Section
Business Law Section
Commercial Law and Bankruptcy Section
Construction Law Section
Consumer Law Section
Corporate Counsel Section
Criminal Justice Section
Elder Law Section
Environmental Law Section
Estates and Probate Section
Family Law Section
Federal Practice Section
Financial Institutions Section
Franchise, Distribution, and Dealer Law Section

Health Law Section
Human Rights and Responsibilities Section
Insurance Law Section
Intellectual Property Section
International Law Section
Labor and Employment Law Section
Litigation Section
Planning and Zoning Section
Public Utility Law Section
Real Property Section
Small Firm Practice Management Section
Sports and Entertainment Law Section
Tax Section
Technology Law Section
Workers' Compensation Section
Young Lawyers Section

Committees

Affordable Housing and Homelessness Committee
Animal Law Committee
Appellate Advocacy Committee
Audit Committee*
Awards Committee*
Child Welfare and Juvenile Law Committee
Commercial Finance Committee
Connecticut Bar Journal Board of Editors
Connecticut Council of Bar Presidents
Connecticut Lawyer Advisory Committee
Continuing Legal Education Committee
Creditors' Rights Committee
Disability Law Committee
Standing Committee on Dispute Resolution in the Courts
Diversity Committee
Education Law Committee
Elections Committee*
Executive Director Review and Compensation Committee*
Fair and Impartial Courts Committee*
Federal Judiciary Committee
Indian Law Committee
Insurance Programs for the Bar Committee
Law-related Education Committee
Lawyer-to-Lawyer Dispute Resolution Committee
Legislation Review Committee*

Legislative Policy Committee*
Liaison with the State Government Committee
Limited Scope Representation Committee
Media and the Law Committee
Membership Committee
Multi-jurisdictional Practice Committee
Municipal Law and Governmental Services Committee
Nominating Committee
Paralegals Committee
Pro Bono Committee
Professional Discipline Committee
Standing Committee on Professional Ethics
Standing Committee on Professionalism
Public Service Recognition Committee
Committee on Resolution of Legal Fee Disputes
Committee on Section and Committee Oversight
Standing Committee on Standards of Title
Committee on Unauthorized Practice of Law
Veterans and Military Affairs Committee
Women in the Law Committee
Workers' Compensation Certification Examining Committee*
Standing Committee on Workers' Compensation Certification *

Task Forces (Appointed by President or by House of Delegates in one Case)

Task Force on Certification of Specialization
Task Force on Civics Education in Connecticut
Task Force on Mentoring New Attorneys
Rule of Law Blog Task Force
Veterans' Affairs Task Force

*Appointed by CBA president