

CONNECTICUT BAR ASSOCIATION
ANNUAL REPORT
of Sections and Committees

2012–2013

Connecticut Bar Association

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2012–2013

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*Also a member of the Board of Governors

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ANNUAL REPORT OF THE PRESIDENT

BARRY C. HAWKINS

June 14, 2013

The CBA has had a very challenging year, marked by both comprehensive reorganization of its staff, the sea of changes going on nationally and in Connecticut with respect to continuing legal education, financial support of voluntary bar associations with dues revenue coming from lawyers who are still facing a troubled economy and a stagnant if not shrinking market for legal services, and a nationwide and statewide limitation on the public's capacity for funding a vibrant court system and providing equal access for all. The wisdom of the ancient Chinese curse "may you live in interesting times" has never been more apt than when applied to the Connecticut Bar Association in 2012-2013.

In addition to the challenges mentioned above, Connecticut was also subject to the state and national implications of the unspeakable tragedy in December 2012 in the Sandy Hook section of Newtown. That single hour of madness defined much of the public policy debate in Connecticut, and to a great extent nationally, for all of the ensuing months. The CBA played a major role in responding both to this tragedy and to the aftermath of a natural disaster with Superstorm Sandy in late October 2012. Despite all of the challenges, and in part because of them, the CBA has been dramatically reorganized and redeployed in 2012-2013 and that process is still ongoing.

The size of the professional staff of the CBA was reduced by nearly one third at the beginning of Bar year 2012-2013 and throughout this year, a highly motivated staff greatly reduced in numbers, assisted by numerous dedicated volunteers, has worked diligently and tirelessly to fulfill the CBA's mission of service to its members and to the public in a "new normal" of reduced budgets and required fiscal constraint.

The good news is that after a number of years of budget deficits which spelled a long-term gloomy prognosis for the CBA, with the reorganization of the internal workings of the CBA and a conscientious effort to hold expenses down, the tide has been turned and it appears that 2012-2013 will show a net surplus of reasonably healthy proportions, sufficient at least to fund a capital expenditure line item placed in the 2013 budget along with the funding of a capital reserve fund to track the depreciation adjustments of our headquarters building and to address some long neglected and deferred maintenance and replacement issues. In a word, the fiscal health of the CBA is in a much improved place as Bar year 2012-2013 draws to a close.

Despite the challenges described above, the CBA in 2012-2013 has continued to remain very effective in its programs involving service to its membership, the legislative agenda and service to the courts, legal services, and the public. The highlights, or many of them, are described below:

1. Mandatory Continuing Legal Education

After discussions that consumed many hours and included 27 members of 12 local bar associations in Connecticut, an MCLE proposal was offered to the Judicial Rules Committee to include 36 hours of CLE over three years, of which six would be for professional/ethics, and 20 hours could be taken remotely or through self-study. Connecticut is one of four states with no rule on MCLE. In mid-September, the Judicial Branch appointed a task force to review MCLE. It included two judges, a member representing the CBA, one member from the State's Attorney's Office and one from the public defender's office, a member of the Trial Lawyers Association, a public utility lawyer, three local Bar leaders, and a member who is both active as a trial lawyer and former president of a small Bar.

Unfortunately, the task force, chaired by Superior Court Judge Elliott N. Solomon, was deeply divided between those in favor of and those opposed to MCLE. Unable to reach consensus, the task force recommended to the Rules Committee a compromise program consisting of professionalism seminars to be held in all county courthouses on the same day and to be sponsored by (and presumably funded by) some combination of local Bar associations and the CBA. The other part of the compromise was to require a mandatory legal skills course, sometimes called "boot camp," for most first year lawyers, thus at least dipping Connecticut's toes into MCLE on a very limited basis.

The task force estimated the yearly cost of administering such a minimalist program at over \$325,000. Not surprisingly, but

most assuredly, very disappointingly, the Rules Committee of the Superior Court, by a vote of 4-3, rejected even the compromise recommended by the task force, thus effectively killing the prospects for MCLE for the immediate future.

Although MCLE remains the policy goal of the CBA, twice overwhelmingly approved by vote of the House of Delegates, it is clear to me and to the CBA leadership that the prospects for MCLE being approved by the Judges, remains as remote today as ever. The CBA has no present plans to change or abandon its approved policy on MCLE but will not be making the program's enactment a priority goal for the immediate future. In the meantime, the CBA will hold its collective breath and hope that no legal scandal will induce the legislature to enact by fiat that which the Judicial Branch seems so reluctant to support.

2. Disaster Assistance Hotlines

In response to Hurricane Sandy, the CBA activated two disaster assistance hotlines that received an outstanding response. The Connecticut Bar Association (CBA) and the Connecticut Bar Association Young Lawyers Section (CBA-YLS) in conjunction with the American Bar Association Young Lawyers Division (ABA-YLD) and the Federal Emergency Management Agency (FEMA) established a toll-free disaster relief hotline to assist persons who live in Connecticut who are affected by the severe storms and flooding caused by Hurricane Sandy on October 29 and October 30, 2012. Hurricane victims who cannot afford legal representation and live in Connecticut were encouraged to call the hotline. The CBA's Insurance Law Section's Disaster Insurance Hotline provides free legal advice to individuals and businesses in need of guidance about insurance claims for property damage after a storm or other disaster. The hotline was established by the CBA in 2011 following Hurricane Irene and is reactivated as needed.

3. Limited Scope Representation

In 2012-2013 the Connecticut Judicial Branch pushed forward with its efforts to provide additional services to currently self-represented parties by changing the Practice Book Rules to allow for Limited Scope Representation (LSR), so that lawyers could enter an appearance and become engaged with the client only for the limited purposes defined in the LSR agreement. The CBA was asked by the judicial branch to support the branch proposal before the Superior Court Rules Committee.

A CBA task force on LSR, chaired by Board of Governors member Stephen Conover, met over many months with a number of sections that would be affected by LSR, including some which were thought to be opposed to the program.

During this vetting process two major concessions were made in the proposal at the request of CBA sections and as reflected in the qualified approval of the plan given by the task force. The two modifications were: 1). To implement the program on a pilot basis for at least one year so that success and possible problems can be measured and evaluated going forward; and 2). That the LSR agreement and the corresponding Practice Book Rule be modified so as to allow an engaged LSR lawyer to self-certify that the scope of the LSR engagement has been completed and therefore the lawyer must be allowed to withdraw from representation, effective immediately upon his certification. If the client previously represented by the lawyer disagrees with the lawyer's certification that the LSR has been completed, the former client may contest the certification, with or without new counsel, but the previously engaged lawyer's representation will remain withdrawn until and unless the court finds that the LSR scope of engagement has not been satisfactorily completed. As modified by those two amendments, the LSR proposal was approved by the HOD at its October 2012 meeting. The LSR proposal was subsequently approved by the Superior Court Rules Committee in February 2013 and by vote of the superior court judges at their June 2013 meeting. The pilot program will be in effect for family law matters only, beginning October 1, 2013.

4. Rule of Law Conference

The CBA held its 2012 Rule of Law Conference at the Legislative Office Building in Hartford on November 16. The event was a great success with distinguished business, academic, administrative, and legislative leaders coming together to discuss the important concept of the Rule of Law through two panel sessions with breakout discussions for all participants. A report including the conclusions from the conference will be distributed in mid-January.

5. SLAP Program

The Connecticut Bar Association partnered with the Secretary of the State for the "Secretary's Legal Assistance Project."

Approximately 95 lawyer-volunteers were trained and were on call during the voting hours on the November 2012 Election Day. This service enabled Secretary of the State Denise Merrill to have neutral, nonpartisan individuals who could be dispatched to polling places and report to her office as needed. The Secretary of State attended the March meeting of the CBA House of Delegates to thank the CBA for this assistance and to present it with a certificate of appreciation.

6. Newtown

In the wake of the Sandy Hook tragedy, I sent a letter to our members who work or reside in Newtown, including the Newtown Third Selectman who has been a longtime member of the CBA, and one of members of the Board of Governors of the CBA, who resides in Newtown, extending the CBA's deepest sympathies and offering our support. In addition, the CBA's Executive Committee approved setting up a panel of current and former Estates & Probate Section leadership to serve as a resource for the Newtown families affected by the tragedy. The CBA Newtown Probate Pro Bono Panel has assisted callers with questions on administering the victims' estates.

In April 2013, the CBA worked with the legislative leadership in the General Assembly to create and help fund a First Responders Fund to be funded privately and be able to provide medical and financial assistance to those Newtown first responders who were so adversely affected by this tragedy and for which no assistance from workers' compensation funds was available. The CBA, along with the Connecticut Trial Lawyers Association, provides a hotline telephone number from which help can be obtained and the presidents of both organizations were invited to attend the legislative press conference announcing the legislative creation of this fund for first responders.

7. Federal District Judge

CBA member Michael P. Shea was confirmed 72 to 23 by the U.S. Senate to become Connecticut's newest U.S. District Judge. Shea was nominated by President Obama at the request of U.S. Sen. Joseph Lieberman in February 2011. Shea is a longtime member of the CBA's Federal Practice, Antitrust & Trade Regulation, and Appellate Advocacy Sections. In addition, the Connecticut Bar Association was invited by the Honorable Richard Blumenthal, Senior Senator from Connecticut, and United States Senator Christopher Murphy, to reach out to its members to identify candidates for another federal court seat. In June 2013 CBA member Jeffrey Meyer was nominated by President Obama at the request of Senator Richard Blumenthal. That candidacy is currently being reviewed by the CBA Federal Judiciary Committee.

8. Judicial Compensation Commission

In December 2012 CBA President Barry C. Hawkins testified, at the request of the Judicial Branch/Commission Chair, before the Judicial Compensation Commission, in accordance with the association's policy position enacted by the Board of Governors in November 2012 to support reasonable judicial salaries.

9. Rule of Law Conference

The CBA held its 2012 Rule of Law Conference at the Legislative Office Building in Hartford on November 16, under the able leadership of CBA President-Elect Kimberly A. Knox. The event was a great success, with distinguished business, academic, administrative, and legislative leaders coming together to discuss the important concept of the Rule of Law through two panel sessions with breakout discussions for all participants. A Rule of Law report, including the conclusions from the conference, was distributed to all participants in mid-January 2013.

10. Legislative Agenda

The CBA has enjoyed a particularly successful legislative session with the passage of several pieces of legislation that it has proposed or supported. A list of the legislation we have been following and have supported or opposed is found at the end of this report. Of particular note, the Uniform Electronic Legal Material Act (UELMA), an Act concerning the Unauthorized Practice Law, and an Act concerning Gun Violence Protection and Children's Safety have all been signed into law. It is hoped that an Act Concerning Victims of Sexual Exploitation and Human Trafficking, which has passed both Houses will also be signed by the Governor.

11. Law Day

The CBA was involved in two Law Day events. President-elect Kimberly A. Knox spoke on May 1 at a ceremony held at the State of Connecticut Supreme Court.

President Barry C. Hawkins spoke on May 2 at the State of Connecticut Appellate Court where the CBA's Civics Education Committee presented a program involving students throughout the state performing dramatic readings from the U.S.

Constitution and other historical materials.

12. ABA Days

The CBA president, president-elect, vice president, two other CBA attorney representatives, and the executive director took part in ABA Days in April presenting the ABA initiatives to our Congressional Delegation. In addition, the ABA designated CBA member and U.S. House of Representatives member Joe Courtney as recipient of a special ABA Advocacy Award, which was presented by ABA President-elect James Silkenat and CBA President Barry C. Hawkins at our Annual Meeting on June 17, 2013 in Hartford.

13. 2013 Leadership Retreat

The CBA is actively planning its fall Leadership Retreat to be held on September 13, 2013 at Waters Edge Resort in Old Saybrook. The staff of the ABA Division of Bar is working with the CBA to develop a program aimed toward strategic planning for the future.

14. CBA Annual Meeting

The CBA Annual Meeting will be held June 17, 2013 and has been planned around a theme of technology transformation and boasts a full line up of technology-related CLE seminars and will be our first paperless Annual Meeting. Governor Dannel Malloy and Chief Justice Chase Rogers will speak at the Bench Bar Luncheon. There will be a number of special awards presented in recognition of distinguished service by members of our Bench and Bar. Fred Ury, former NCBP President, will be the recipient of the CBA Distinguished Professional Service Award and Ralph Nader will be receiving the CBA Distinguished Public Service Award. Dean Brad Saxton will be presented with the Tapping Reeve Legal Educator Award, former CBA President Fran Brady will be presented with the Edward Hennessey Professionalism Award, and Elton B. ("Bud") Harvey will receive the Citizen of the Law Award. Congressman Joe Courtney will be receiving the ABA Congressional Advocacy Award to be presented by ABA Incoming President Jim Silkenat who will also talk briefly. We will also install our 2013-2014 bar year officers.

15. Veterans and Military

The Veterans and Military Affairs Committee was reinvigorated this Bar year with the appointment of a former Navy Seal Captain (Retired) and CBA member Roger Crossland as its chair. This Committee's stated purpose is to act 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. The CBA presented testimony on the Uniform Military and Overseas Voters Act (UMOVA), mentioned in the legislative agenda below, and has been instrumental in its support of passage of this uniform legislation. In collaboration with the Committee, the CBA pro bono staff and members of the Elder Law and Estates and Probate Sections worked to present specialized training to volunteer attorneys who will provide legal services to current and retired military personnel through specialty clinics. At the March 2013 meeting of the HOD, the CBA, with the assistance of the Veteran's Committee, also installed U.S., Connecticut, and POW flags at the CBA Law Center with an appropriate color guard ceremony from the 103 Air Wing Air National Guard.

16. House of Delegates Elections

In 2012-2013, for the first time in decades, all vacant seats in the House of Delegates have been filled with special elections conducted by the Elections Committee of the HOD chaired by Delegate Ira Bloom. Elections were also recently held for the upcoming Bar year and there was a healthy competition for the available slots both geographically and for section delegates.

17. Diversity

The affinity Bars will now include the recently organized Italian American Bar Association. The CBA continues to promote its agenda of ensuring diversity and recently adopted a dues initiative which will credit all members of affinity Bars with the dues paid to their affinity Bar towards the cost of CBA membership. The Section and Committee leadership of the CBA now enjoys a higher percentage of diversity than at any time in its history. It is still a work in progress, but progress is being made.

18. Sections and Committees

Thanks to groundbreaking work by the CBA Section and Committee Oversight Committee, chaired by Immediate Past President Brad Gallant, many Committees of the CBA have now been elevated into Sections and some duplicative Committees

have been terminated. Several new Sections have been approved by the HOD and unfortunately one Section (Corporate Counsel) was terminated in 2012-2013.

19. Amicus Briefs

The CBA filed an *amicus* brief in the Second Circuit on behalf of a plaintiff attacking the constitutionality of DOMA (Defense of Marriage Act) as authorized by the BOG in August 2012. The plaintiff supported by that brief prevailed, but a further appeal was taken to the United States Supreme Court. The CBA was again asked to join in the filing of an *amicus* brief, which was authorized by vote of the HOD in January 2013. The brief was filed in March 2013, but the decision of the court is still pending as of the date this report was completed.

20. Legislative Activity 2013

In a legislative session that began January 9, with a focus on issues related to the Newtown shootings, gun control, children's safety, and mental health, it ended on June 5 with the passing of a budget that increased spending by 10 percent.

The CBA has enjoyed a particularly successful legislative session with the passage of several pieces of legislation that it has proposed or supported. A list of the legislation we have been following and have supported or opposed is below. Of particular note, the Uniform Electronic Legal Material Act (UELMA), An Act Concerning the Unauthorized Practice Law, and An Act Concerning Gun Violence Protection and Children's Safety have all been signed into law. It is hoped that an Act Concerning Victims of Sexual Exploitation and Human Trafficking, which has passed both Houses, will also be signed by the governor. Further legislation that passed during the session included foreclosure modification, increased minimum wage, genetically modified food labeling, renewable and clean energy, undocumented drivers, UConn funding, increase in judges' salaries, and the reestablishment of a Department of Aging.

Since 2008, CBA presidents have promoted legislation to be enacted with increased penalties for the **Unauthorized Practice of Law**. On May 28, 2013, the governor signed PA 13-29 into law effective October first.

Also signed by the governor has been legislation adopting the **Uniform Electronic Legal Material Act** (Law librarians) and enforcement protection for nonconforming structures_(planning and zoning).

Additional legislation, which is awaiting the governor's signature (most likely within the next week), include:

- Expansion of Human Trafficking penalties (Human Rights and Responsibilities Section and Child Welfare and Juvenile Law Section)
- The ban of private transfer fees (Real Property Section)
- Modification of transfer of assets for nursing homes (Elder Law Section)
- UPL by Notaries Public (International Law Section)
- implement the recommendations of the State of Connecticut Brownfields Working Group (Environmental Law Section)
- Dissection Choice (Animal Law Section) permits a child who has parental permission and receives a substitute assignment from a teacher to be excused from actual dissection participation
- Court denial of frivolous court filings (Pro Bono Committee)
- A task force bill to discuss the role of the guardian *ad litem* and attorney in child disputes (Family Law Section)
- A Law Revision Commission on the study of alimony (Family Law Section)
- Placement of state regulations on agency and the Secretary of the State's Web sites (Association)

Some bills were passed in one chamber but were not approved in the other chamber. These bills include:

- Benefits Corporation and Social Enterprise (Business law Section)
- Uniform Certificate of Title for Vessels Act (Commercial Law & Bankruptcy Section and Commercial Finance Section)
- Court Advocate for Protection of Animals (Animal Law Section)

Some legislation was favorably reported out of Committee, but the legislation was not called on the floor. Some reasons included poor drafting, similar bills, disagreements between proponents, miscommunication between chairs, and a lack of understanding of the intent of the bill. This legislation included:

- Medical Options for Life Sustaining Treatment (Elder Law Section and Estates & Probate Section)
- Access to Death Certificates (Estates & Probate Section)
- Uniform Military Overseas Voters Act (Veterans and Military Affairs Committee)
- Electronic Fund Transfer Act (Commercial Finance Section)

Of the bills that were killed this year, they included the following opposed bills:

- Elimination of ADR in home construction cases (ADR Section and Construction Law Section)
- Exclusion of veterans' disability compensation from alimony in divorce proceedings (Family Law Section)
- Increase of the filing maximum in small claims (Pro Bono Committee)

There were a few bills that did not get out of Committee, including the modification to the Business Corporation Act, legislation from real property on easements and rights of way, and personal needs allowance (Elder). Attempts were made to place them elsewhere, however, these bills will be back early and successful in 2013.

The CBA will also be involved in task forces or studies in the next year including alimony, military voting, inheritance rights of a child who is born after the death of a married parent, Medical Orders for Life-Sustaining Treatment (MOLST), and death certificates.

SECTION REPORTS

ADMINISTRATIVE LAW SECTION

MICHAEL KOLOSKY, CHAIR

PURPOSE

The purpose of the Administrative Law Section is to provide Connecticut Bar Association members with a forum to discuss developments in administrative law. The Section concentrates primarily on the Connecticut Administrative Procedures Act and the practices of the various state agencies governed by the Act.

ANNUAL REPORT

The Administrative Law Section has enjoyed an active year of meetings and educational sessions and we look forward to the culmination of the 2012-13 year at the CBA Annual Meeting, at which the Section will host a program that offers topics of interest for young and experienced lawyers, alike.

The Section held three general meetings during the 2012-13 year. Our first meeting was a dinner held on September 20, 2012 with David Biklen, Uniform Law Commissioner and Chair of the Connecticut Delegation to the Uniform Law Commission (ULC). Biklen spoke on topics including the Connecticut Electronic Legal Materials Act, the ULC process for selection of topics to draft, and the role of federalism in the ULC. For our second meeting, the Section hosted a CLE session on January 30, 2013 entitled "Connecticut Liquor Permits: From Application to Revocation." Our speaker was John Suchy, Division Director of Liquor Control from the Connecticut Department of Consumer Protection. The CLE was conducted in the CBA's New Britain office, and was well attended by members of the Section and the broader CBA membership. Our final meeting was a dinner at Carmen Anthony Fishhouse in Wethersfield on February 27, 2013. The dinner featured James Talbert-Slagle, staff attorney with the State Election Enforcement Commission, who shared his insights into Connecticut's election enforcement laws.

We held two Executive Committee Section meetings in 2012-13. During the Executive Committee meetings, we planned Section meetings and CLE seminars; discussed Section business, including revisions to by-laws; reviewed legislation; and discussed long-range event planning.

The Section was also actively involved with administrative law issues at the state government level. We worked with members of the state task force implementing the Connecticut law regarding the electronic publication of agency materials. Section leadership met with task force members to share ideas regarding the logistics of publishing certain materials online, including those containing proprietary information. We also attended the legislature's Program Review and Investigations (PRI) Committee hearing on its study of the processes that Connecticut uses to recoup improper Medicaid payments, and circulated a summary of the Committee hearing to provide all interested Section members with an enhanced opportunity to participate in the Committee's hearing process.

The Section's program at the 2013 CBA Annual Meeting is entitled "An Administrative Law Primer and Year in Review." The program will offer insights on different aspects of representation of clients before administrative agencies in a variety of matters and settings, and will review significant developments in Connecticut administrative law over the past year. The program will be moderated by Michael J. Kolosky and will include segments by the Honorable Henry S. Cohn, and Section members Louis B. Todisco, Mary Alice Moore Leonhardt, and Nyle Davey.

ALTERNATIVE DISPUTE RESOLUTION SECTION

HOUSTON PUTNAM LOWRY, CHAIR

PURPOSE

This Section aims to increase the awareness of alternative dispute resolution (ADR) within the Bar and the general public; promote communication among lawyers and others involved in ADR; act as a resource to the courts and other entities; improve the quality of ADR services; and encourage members of the Bar to serve as neutrals in various ADR settings.

ANNUAL REPORT

Executive Board

Chair: Houston Putnam Lowry, Brown & Welsh PC, Meriden
Vice chair: Jay H. Sandak, Sandak Hennessey & Greco LLP, Stamford
Secretary/Treasurer: Stephanie Cabral, Micro Dispute Resolution, Hartford
Immediate past chair: Roy L. De Barbieri, De Barbieri & Associates, New Haven

Committee appointments

Promotion/Outreach Committee: Bill Whittemore, Steve Rolnick, Stewart Edelstein, Jane Beddall, and Stephanie Cabral.

Committee for Family Law ADR Seminars: Elaine Gordon and Roy L. DeBarbieri.

Legislative Committee: Harry Mazadoorian and Houston Putnam Lowry

CLE Committee: Bill Stempel

Meetings/Events

September 20, 2012: Natalie Holder-Winfield, President, QUEST Diversity, Greenwich, who facilitated a discussion regarding the inclusion of underrepresented groups in ADR and resolving conflicts by changing perspectives.

November 15-16, 2012: The Section co-sponsored the American Bar Association's 10th Annual Mediation and Advocacy Skills Institute in Boston, MA. Attended by mediators and attorney advocates, the curriculum focused on the techniques and skills that mediators and attorney advocates have used in each phase of the mediation process. It also included small group discussions in which participants discussed specific issues and fine-tuned their skill-sets.

December 5, 2012: Thomas J. Welsh, Brown & Welsh PC presented the "Overlay Rules for Commercial Finance Matters" (the rules can be found at, ABA-FINANCE-ARB.ORG).

January 23, 2013: Stephanie Cabral, Micro Dispute Resolution spoke on the "Integration of Technology to Improve the Practice of ADR."

February 27, 2013: Scott C. Kern, Kern & Hillman LLC and Nicole L. Micklich, Garcia & Milas PC,

New Haven, presented “Proper Drafting of Franchise ADR Agreements.” This session was moderated by Roy L. De Barbieri, De Barbieri & Associates.

March 27, 2013: Kevin Cornell, Cornell Consulting Services LLC spoke on the topic of “Managing a Construction Project without Drama.”

April 18, 2013: Stewart I. Edelstein, Cohen and Wolf PC presented “Strategies to Overcome Impasse in Mediation.”

May 9, 2013: Jay H. Sandak, Sandak Hennessey & Greco LLP spoke on “When Does a Puffer Become a Liar?”

Executive Committee Meetings

In light of the small size of the Section, the Executive Committee does not meet separately from the Section.

CLE

The “ADR 101” CLE seminar, originally scheduled for October 25, 2012, was cancelled due to low advance registrations.

Publications

The Section does not produce any traditional publications. However, the Section does keep its members abreast of current developments through its listserver, including a periodic electronic newsletter.

Legislative Efforts

The Section monitored legislation pending in the Connecticut General Assembly. The Section is supporting the creation of the Law Revision Commission study commission on the Revised Uniform Arbitration Act.

ANIMAL LAW SECTION

COLLETTE S. GRIFFEN AND SUZAN M. PORTO, CO-CHAIRS

PURPOSE

Formed in 2002 as a Committee and changed in 2012 to a Section, the purposes of the Animal Law Section 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

Meetings

Quarterly meetings have been held. During the months of January – April, monthly meetings have been held to prepare for the May seminar.

Executive Committee Meetings

Executive meetings have been held quarterly.

Legislative Efforts

Individual members were involved with legislation. As a Section, we took a position and provided written testimony regarding three bills based on unanimous support within our Section.

Volunteer Activities

We provided legal advice regarding animal laws to a number of not-for-profit organizations.

Other Programs and Events

We partnered with the Trusts and Estates Section for a seminar regarding Animal Trusts. In addition, we held a seminar with University of Connecticut School of Law on May 3, 2013 regarding the cruelty statutes. More than 110 participants enrolled and attended the event.

ANTITRUST AND TRADE REGULATION SECTION

ERICA L. AMARANTE, 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 state and federal antitrust and trade regulation and related laws pertaining to regulation of business, excluding certain aspects of recognized special fields such as banking, utilities, and insurance.

ANNUAL REPORT

On October 23, 2012, we co-sponsored a joint meeting with Consumer Law Section. The State of Connecticut's Attorney General George C. Jepsen and Assistant Attorney General Michael E. Cole were the featured speakers. The dinner was well-attended by the Sections.

We are in the process of planning another meeting for the spring.

APPELLATE ADVOCACY SECTION

KATHRYN CALIBEY AND LINDA MORKAN, CO-CHAIRS

PURPOSE

The Appellate Advocacy Section serves to promote excellence, professionalism, and continuing education in the area of appellate litigation. The Section seeks to improve appellate practice through its periodic meetings where appellate practitioners discuss issues of common interest regarding appellate litigation and appellate procedure. The Section frequently invites appellate judges and clerks to its meetings to foster greater understanding of the appellate process and encourage dialogue among Bench and Bar. The Section also sponsors CLE programs on appellate issues.

ANNUAL REPORT

The Section has met a number of times during the 2012-2013 Bar year to discuss appellate practice and procedure:

- In June 2012, the Section's appointed nominating committee recommended Linda L. Morkan and Kathy A. Calibey as co-chairs and Matthew A. Weiner as secretary-treasurer for the upcoming year. The candidates were unanimously approved. The Section then discussed ideas for the upcoming year.
- In September 2012, the Section hosted an informal roundtable conversation with the recently appointed Judges of the Second Circuit Court of Appeals: Judge Susan L. Carney and Judge Christopher F. Droney. The meeting was held in New Haven. After the roundtable, a business meeting was held that included discussions regarding the status of securing public access to the Connecticut Supreme Court Justice video interviews, securing volunteers to assist Daniel J. Klauin the uploading of Supreme Court briefs onto a publicly accessible blog, and the creation of standing committees. The co-chairs discussed implementing the suggestion of committee members to hold approximately eight (8) meetings a year, which would consist of alternating guest speakers with an "open mike" format.
- In November 2012, the Section held its first "open mic" meeting and a number of topics were discussed. The first topic discussed focused on the new practice book articulation rule, which was adopted subsequent to receiving input from a sub-committee of the Section. The group next discussed the formation of standing committees. The following subcommittees were formed:
 - **Technical Committee**, led by Daniel J. Klau
 - **Appellate Specialization Committee**, led by Sheila A. Huddleston
 - **Rules of Practice Committee**, led by Jeffrey R. Babbins and Thomas J. Donlon,
 - **CLE Committee**

The meeting closed with a discussion regarding topics and guests for future meetings.

- In January 2013, current Judge of the Appellate Court and newly nominated Justice of the Supreme Court Carmen Espinosa visited the Section for informal discussion and questions. Following the meeting with Judge Espinosa, the group discussed the December 2012 launching of the Section's Judicial Interview Project (headed by Daniel J. Klau) on the CBA's Web site. The Judicial Web site also contains a link to the project. The video project consists of six Connecticut Supreme Court Justice interviews. A discussion was then held concerning co-sponsoring a CLE

with the YLS Appellate Practice Committee. The Section's CLE subcommittee agreed to follow up.

- In February 2013, the Section was joined by Justice Peter Zarella to discuss proposed appellate rule changes surrounding the elimination of the yellow-jacketed Record. Following the discussion with Justice Zarella, the co-chairs reported on their recent meeting with Chief Justice Rogers regarding possibly assisting the appellate courts with respect to self-represented appellate litigants. A committee was formed to work on this issue. The group also discussed ideas for the section's CLE presentation at the annual meeting.
- In April 2013, the Section co-sponsored with the CBA Young Lawyers Section a CLE covering recent appellate procedure rule changes. Section members volunteered to participate as panel speakers. The seminar focused on the substantive rules changes (i.e., articulation motions, child protection appeals, and stays in family cases), purpose behind the amendments and their anticipated impact on appellate practice.

BUSINESS LAW SECTION

JOHN H. LAWRENCE, 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 organizations law, including in particular securities law and the law of corporations, limited liability companies, partnerships and other unincorporated businesses.” See Section 1.2 of the Bylaws of the Business Law Section. In furtherance of this purpose, the Executive Committee of the Section conducts monthly meetings to which all members of the Section are invited. At each monthly meeting, the Section presents a program of topical interest to its members, often with guest speakers. The Section also monitors local, regional, and national developments affecting the business law 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, the Governor’s office and state agencies on business and securities law matters.

ANNUAL REPORT

Officers

The following persons served as officers of the Section during 2012-2013:

Chair: John H. Lawrence, Jr., Shipman & Goodwin LLP

First Vice Chair and Legislative Liaison: Mark G. Sklarz, Day Pitney LLP

Second Vice Chair and Program Chair: Robton Perelli-Minetti, Singer Anner & Perelli-Minetti LLP

Treasurer: Kenneth B. Lerman, Kenneth B. Lerman PC

Secretary: Jason C. Hillman, Shipman & Goodwin LLP

Committee Chairs and Co-chairs

The following persons served as Committee Chairs and Co-chairs of the Section during 2012-2013:

Business Corporations: Andrew C. Glassman, Pullman & Comley LLC

Securities Law: Edward B. Whittemore, Murtha Cullina LLP and Peter J. Bilfield, Shipman & Goodwin LLP

Limited Liability Companies and Other Pass-through Entities: Marcel J. Bernier, Murtha Cullina LLP and David M. Levine, Cohen & Wolf PC

Nonstock Corporations: Melinda A. Agsten, Wiggin & Dana LLP and John M. Horak, Reid & Riege PC

Programs

The Business Law Section again offered informative programs at our regular monthly meetings.

- **Benefit Corporations: A New Twist on an Old Theme (September 11, 2012).** Jack M. Horak, Reid and Riege PC, presented a program with Andrew Greenblatt and Erik Trojian, both of B Lab, on “benefit corporation” statutes. B Corporation statutes are intended to foster the creation of a type of business corporation that has the simultaneous goals of making a profit for its owners and providing a measureable social benefit to the community and society in general.
- **Mergers & Acquisitions Mini-Seminar: Common Mistakes of M&A Practitioners (October 9, 2012):** David I. Albin and Jon T. Hirschhoff, both of Finn Dixon & Herling LLP, and Mark G. Sklarz, Day Pitney LLP, presented the annual M&A mini-seminar based on a program created by the ABA Mergers & Acquisitions Committee for the ABA Annual Meeting in August. The program covered a number of topics that M&A lawyers commonly struggle with while running transactions.
- **Limited Liability Company Update (November 13, 2012):** Marcel J. Bernier, Murtha Cullina LLP; David M. Levine, Cohen & Wolf PC; and John H. Lawrence, Jr., Shipman & Goodwin LLP, presented a program on the Connecticut Limited Liability Company Act and the LLC Committee’s recommendations on approaching the question of whether the Section should update or replace the Act and the current thinking that has emerged from the various drafting projects that have produced the Revised Uniform Limited Liability Company Act (2006) and the ABA’s Revised Prototype Limited Liability Company Act (2011).

- **Angel Investing in Connecticut (December 11, 2012):** Marcus D. Wilkinson, Shipman & Goodwin LLP; Joe DeMartino, former president of Angel Investor Forum of Connecticut; and Andrew Greenawalt, co-founder and CEO of Continuity Control, presented a program on angel investments—including a discussion of typical angel investment deal terms and agreements in comparison to typical venture capital investment terms and agreements.
- **The Good, the Bad and the Fiduciaries: A Tale of Fiduciary Duties in Connecticut (January 8, 2013):** Steve Donaldson, a third-year law student at Brooklyn Law School, presented a program based on his blog article on fiduciary duties in Connecticut LLCs and LPs and discussed *Konover Dev. Corp. v. Zeller*, 228 Conn. 206, 635 A.2d 798 (1994). He also summarized piercing the veil decisions in Connecticut. A panel composed of Mark G. Sklarz, Day Pitney LLP; David M. Levine, Cohen & Wolf PC; and Marcel J. Bernier, Murtha Cullina LLP, discussed these issues in further detail—especially as they relate to the Uniform LLC Act (2011), which is being used as the template for the LLC Committee’s review and updating of the Connecticut LLC Act.
- **American Taxpayer Relief Act of 2012 (ATRA), and Selected provisions of the Patient Protection and Affordability Care Act of 2010 (ObamaCare) and the Health Care and Education Reconciliation Act of 2010 (March 12, 2013):** Christopher J. Rixon, Reid and Riege PC, and Daniel L. Gottfried, Rogin Nassau PC, discussed the provisions of ATRA; Richard J. Di Marco, Cohen & Wolf PC, reviewed the Medicare surtax that took effect on January 1, 2013; and Dan Smolnik, Smolnik Law Offices, summarized the recently effective tax provisions of Obamacare.
- **Limited Liability Company Litigation—A Master Practitioner’s Perspective (April 9, 2013):** Vernon R. Proctor, a distinguished Delaware trial lawyer and founding partner of Proctor Heyman LLP, spoke about limited liability company litigation (reprising his recent keynote address at the 2012 LLC Institute in Washington, D.C. in October 2012).
- **Securities Law Mini-Seminar (May 14, 2013):** Donna L. Brooks, Shipman & Goodwin LLP, presented a program on **Issues Raised by the Use of Finders in M&A and Private Placement Transactions** that discussed securities law issues raised by the use of “finders” in M&A and private-placement transactions; and Robton Perelli-Minetti, Singer Anner & Perelli-Minetti LLP Rob Perelli-Minetti; and Edward B. Whittemore, Murtha Cullina LLP, presented a **FINRA Update—Rule 5123 Filing Issues**.
- **Intellectual Property M&A Due Diligence for Business Lawyers (June 11, 2013):** Richard D. Harris, Day Pitney LLP, and Michael Hammond, General Counsel at Insurety, Inc., presented a program on due diligence investigations in M&A transactions.

Each monthly meeting also included a case note on a recent judicial decision and a discussion of the Section’s legislative agenda and the status of bills drafted by the Section that were pending in the General Assembly.

In addition, the Section teamed up with the Young Lawyers Section to present a program by David A. Swerdloff, Day Pitney LLP; Louis B. Schatz, Shipman & Goodwin LLP; Andrew C. Glassman, Pullman & Comley LLC; and John H. Lawrence, Jr., Shipman & Goodwin LLP, on “Drafting Corporate and LLC Documents”—a program that had been a great success last year. The Section also continued its commitment to presenting a CLE program at the 2013 CBA Annual Meeting by sponsoring a program by Marcel J. Bernier, Murtha Cullina LLC; Jeffrey M. Sklarz, Convicer Percy & Green LLP; and John H. Lawrence, Jr., Shipman & Goodwin LLC, entitled “LLC Fiduciary Duties – To Be or Not to Be? That is the Question.” The CLE discussed drafting and litigating fiduciary duty claims involving LLC managers and members.

Legislative Activities

The Business Law Section continued its practice of annually proposing changes to the Connecticut Business Corporation Act and devoted a considerable amount of time and effort to reviewing the benefit corporation and social enterprise bills that were introduced in the General Assembly last year but were opposed by the Section because each of them contained numerous technical shortcomings. The Section’s Business Corporation Act amendments bill became HB 6640, “An Act Amending the Connecticut Business Corporation Act.” Andrew C. Glassman, Pullman & Comley LLC, testified before the Judiciary Committee in support of the bill. Unfortunately, the bill did not make its way out of the Judiciary Committee. In keeping with its commitment to the CBA Executive Committee last year, the Section worked with the sponsors of the benefit corporation and social enterprise bills and proposed a substantially modified version of benefit corporation bill that was based on a model act drafted by B Lab. The section’s bill addressed the technical objections that the Section had had with the bills introduced in the 2012

session. Representatives of the Section met with legislators on a number of occasions to explain the provisions of the bill and John Lawrence testified before the Commerce Committee in support of the bill. The bill ultimately became Governor's Bill 6356, "An Act Concerning Benefit Corporations and Encouraging Social Enterprise", but died on the last day of the session.

The LLC Committee of the Section is in the first year of a two-year project to review the current LLC Act and propose a new LLC Act based upon the Revised Uniform Limited Liability Company Act. The Section is currently planning to introduce the bill in the 2015 session. This will be the first substantial revision and updating of the LLC Act since it was adopted in 1993.

The Section wishes to thank the CBA's Government and Community Relations Administrator, Bill Chapman, for his tireless support, advice, and efforts on behalf of the Section during the past legislative session.

CHILD WELFARE AND JUVENILE LAW SECTION

DOUGLAS J. MONAGHAN, CHAIR

PURPOSE

The purpose of the Child Welfare and Juvenile Law Section 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 Section 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 Section will also be attentive to other issues affecting children and families that arise in areas including—but not limited to—family, probate, criminal, and education law.

ANNUAL REPORT

Meetings

The Section has had monthly meetings from September 2012 through May 2013 (excepting a combined November-December meeting) and averaged 10 members per meeting. The agenda items for each of the meetings included review of pending legislative matters and mini-CLE sessions for Section members. This year the Executive Committee did not propose any new legislation or rule changes, although discussion about developing such proposals remains a core function. The subject of permanency plan hearings (whether modification in light of federal statute should be sought) continued to be an area of interest for several meetings. Some effort was made to coordinate an attempt to improve children's visits with incarcerated parents through liaison with the Office of Chief Public Defender, Department of Children and Families (DCF), and Families in Crisis. The cases of *In re: Kaleb H.* (incompetent parents), *In re: Joseph W.* (predictive neglect), *In re: Elijah J.* (effect of parent standing silent at neglect adjudication on later TPR case), and *In re: Leeanna B.* (family court vs. SCJM jurisdiction) were among the subjects of the mini-CLE sessions.

CLE

On April 17, 2013, the Section sponsored a well-attended CLE program entitled "The Addictions: Biology, Toxicology, and Available Treatment." The presenters were Lauren Doninger, Ed.D., LADC, LPD, who has been in the field of mental health and addiction services since 1983; Charles A. McKay, Jr., MD, of Hartford Hospital's Emergency Medicine Department and Assistant Professor and Associate Professor of Emergency Medicine at the University of Connecticut; Tere Foley, LMFT, Substance Abuse Program Lead at DCF central office; and Rhonda Kincaid, M. Ed., Regional Manager, and Erin Leavitt-Smith, MA, LPC, Transition Services Manager, both at the Connecticut Department of Mental Health and Addiction Services.

Publications

Our esteemed Section member Norman K. Janes, CBA past president and CBA past-acting Executive Director wrote an article for the *Connecticut Lawyer* entitled "Role of Lawyers in Child Protection Proceedings" published in the April 2013 issue.

Legislative Efforts

This Section 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. The Section's Executive Committee initially approved submission of its position on two bills to the CBA's Legislative Policy and Review Committee with the intention of opposing SB 833, an act addressing the medical and educational

needs of children, and of supporting SB 652, an act concerning referrals from the Department of Children and Families to the Birth to Three program. Prior to submission of the Section's legislative proposal to the LPRC, SB 833 was amended mooting the Section's opposition. A further review of SB 652 identified a controversial issue within the proposed legislation that sidetracked the legislative proposal submission to the LPRC. This Section did join the position of the Human Rights and Responsibilities Section which obtained CBA approval for bills concerning the reduction of sexual exploitation and human trafficking in Connecticut, and submitted written testimony on several bills of similar nature.

Other Programs, Events, and Activities

This Section continues to explore ways for child protection lawyers to advance their professional objectives, notwithstanding the General Assembly's dissolution of the Commission on Child Protection back in June 2011. Given the economic realities of the State of Connecticut's budgetary difficulties, the Section's Subcommittee on Systemic Change was dissolved; although there is an ongoing need to remain proactive in promoting child protection lawyers as central to the "drama that balances children's health and safety and the sanctity of the family." (N. Janes, *supra*)

COMMERCIAL LAW AND BANKRUPTCY SECTION

CARL T. GULLIVER, CHAIR

PURPOSE

Section 2 of the By-Laws of the Commercial Law and Bankruptcy Section states that the purpose of this Section “shall be to promote objectives of the Connecticut Bar Association...within the field of Commercial Law and Bankruptcy.” The Section seeks to implement this general purpose by regular meetings to promote the education of its members in the commercial law and bankruptcy areas, the promotion of good relations among the members who practice in these areas, the ethical practice of law in the commercial law and bankruptcy fields, and good relationships between the Section and the bench before whom it practices.

ANNUAL REPORT

Introduction

During the 2012-2013 Bar year, the Commercial Law and Bankruptcy Section of the Connecticut Bar Association (CBA) has been quite active in regular monthly meetings, a Bench-Bar conference, an advanced-level seminar at the CBA’s Law Center in New Britain, and an educational presentation entitled “Annual Review of Commercial Law and Bankruptcy” that will occur at the CBA 2013 Annual Meeting. In addition, through the efforts of its officers and a committee comprising some of its most experienced former chairs, the Section had commissioned and sponsored a portrait unveiling ceremony honoring retiring Chief Bankruptcy Judge Lorraine M. Weil on May 9, 2013.

Monthly Meetings

Notable speakers at the Section’s monthly meetings included the following:

- The State of Connecticut’s Attorney General of George Jepson, who opened the year for the Section with a presentation about the multi-bank foreclosure settlement that was realized through the efforts of a number of Attorney Generals in the United States during 2012—of which Attorney General Jepson played a significant leading role.
- Robert U. Sattin, a former Section chair—and now a leader in the area of law firm networks and practice skill development— spoke on improving attorney professionalism and skills in a joint-meeting session that the Section presented with the Small Firm Practice Management Section.
- Assistant Attorney General Henry A. Salton, one of the most experienced practitioners in the state in nursing home law and insolvencies, spoke on insolvencies in the nursing home industry under state law and the Federal Bankruptcy Code.
- Robert G. Flanders, Jr., partner at Hinckley Allen & Snyder LLP, Providence, RI, and formerly a Justice of the Rhode Island Supreme Court, spoke about his experience as receiver for the City of Central Falls, RI, during its successful Chapter 9 proceeding under the Bankruptcy Code.
- Bankruptcy Judge Albert S. Dabrowski spoke to the Section regarding many changes in the Bankruptcy Court personnel and procedures, including the Court’s transition period after the retirement of Chief Bankruptcy Judge Lorraine Murphy Weil and the introduction of the new Clerk of the Court, Gary Gfeller.
- The Commercial Law and Bankruptcy Section and the Family Law Section of CBA joined together to present a panel of members chosen from each section who addressed problems in the challenging interplay between domestic relations and bankruptcy law.
- The Honorable Christopher F. Droney of the United States Court of Appeals for the Second Circuit addressed numerous questions about his experiences as the newest member of the

Court, and his experience of many years on the United States District Court and, prior thereto, as United States Attorney, for the District of Connecticut.

Lastly, the Section promoted good relations among its members and networking with other professionals at three events: (1) its joint holiday party in December 2012 with the Turnaround Management Association, (2) a University of Connecticut basketball game after the Section's January dinner meeting with John M. Flanders, and (3) a night at the New Britain Rock Cats minor league baseball park in June 2013 to wrap up the Section's year.

Executive Committee

The Executive Committee of the Section met in September 2012, February 2013, and at May 2013 dinner meeting to address the focus of the Section and planning for various matters going forward.

Seminar and Annual Meeting

The Section presented a seminar of three of its leaders in the area of advanced fraudulent conveyance law—William S. Fish, Jr., Carl Gulliver, and Robert E. Kaelin—at the CBA's Law Center in February 2013. The seminar was attended by numerous interested members of the Section and other members of the CBA.

The Section will be presenting three of its members—John M. Barton III, Daniel P. Elliot, and Lucas B. Rocklin—as speakers at a seminar at the 2013 CBA Annual Meeting addressing developments during the past 12-month period in the areas of commercial law, business bankruptcy law, and consumer bankruptcy law. In May 2013, at the Section's final official dinner meeting of the year, the same attorneys summarized the most important case law developments in their respective areas.

Portrait and Unveiling Ceremony

Former chairs of the Section—Matthew Beatman, Elizabeth Austin, and Thomas Gugliotti—have served the Section as its Portrait Committee in preparation for the unveiling of the Chief Bankruptcy Judge Lorraine Murphy Weil's portrait. Judge Weil retired as Chief Bankruptcy Judge on April 22, 2013, after serving 14 years on the bench. The Committee's intense work throughout this year has involved a significant financial donation from the Section that required Board of Governor's approval in September 2012, fundraising from other members and leading firms of the Section, and working with the Judge and the artist throughout the year to prepare for the presentation and unveiling that occurred on May 9, 2013 at the New Haven Lawn Club.

Bench-Bar Conference

In September 2012, Section officers Carl Gulliver, Evan Goldstein and Jessica Grossarth met with the three Bankruptcy Judges of the District of Connecticut to discuss Bench-Bar relations and Bankruptcy Court procedures, including particular focus on procedural matters relating to Service and Certificates of Service issues and continuing work on the challenges presented to the Bankruptcy Court by pro se litigants and the Section's and the Judges' interest and concern in providing pro bono counsel on a fairly implemented basis.

Legislative Agenda

The Section chair appointed a Committee to analyze and review legislation as it develops in the State legislature during the 2013 legislative session and has followed several bills relevant to the areas of commercial law and bankruptcy. To date, the Committee members have perceived no legislation to be sufficiently significant and contentious as to require a Section position to arise. However, it is the intention of the Committee to continue its focus through the balance of this legislative year for this purpose.

Conclusion

As the Bar year turns to a close, the Section's officers—who will continue to serve in their respective roles during the coming 2013-2014 CBA calendar year—are turning their attention to presentations to the Section for the fall and the presentation of one or more seminars to be held at the CBA's Law Center in New Britain.

CONSTRUCTION LAW SECTION

MICHAEL J. BARNABY, CHAIR

PURPOSE

The purpose of the Construction Law Section is to bring together those CBA members practicing in the construction law field to discuss the current issues affecting this practice area, to educate that membership on the legal issues affecting those rapidly developing topics, and to foster relationships between those practicing attorneys and the members of the construction industry.

ANNUAL REPORT

In 2012-13, 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 12, 2012, the Section sponsored its fifth annual program, in association with the Construction Management Department at Central Connecticut State University (CCSU) in New Britain, entitled “Building Information Modeling and Integrated Project Delivery: A Revolution in Project Delivery?” The dinner meeting was attended by Section members, students, and faculty members from the CCSU Construction Management Program.

Approximately 12 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 enable the University to provide scholarships sponsored by our Section to two students in the current academic year.

On March 6, 2013, the Section presented a program entitled, “Nullum Tempus and Beyond: Practical and Public Policy Implications of the UConn Law School Library Decision”. The program was well-received and was well-attended by Section members and others.

Carrying on another longstanding and valuable annual project, the Section once again produced in May 2013 its annual *Case Law Summary*, detailing important court decisions and legislative developments that affected the construction industry in Connecticut during 2012. This extensively written compilation of materials—amassed and edited by about 20 Section members—was made available online as a resource for all Section members. On May 31, 2013, the Section held its annual seminar based on these materials at the CBA’s Law Center in New Britain. This annual presentation has become a valuable source of information for Connecticut attorneys whose practices involve all aspects of construction law.

On the legislative front, the Section—with authorization from the CBA’s Executive Committee—adopted a position in May 2013 opposing Senate Bill 319, “an Act Prohibiting Mandatory Alternate Dispute Resolution Clauses in Home Improvement and New Home Contracts”. In 2011, the Section previously received reauthorization from the CBA Board of Governors for two years to continue to support legislation that allows general contractors to include subcontractor pass-through claims in claims by general contractors against the State.

CONSUMER LAW SECTION

ROBERT B. CLARK, CHAIR

PURPOSE

The purpose of this section shall be to promote the objectives of the Connecticut Bar Association relative to the field of consumer law.

ANNUAL REPORT

This Bar year, the Consumer Law Section continued to work on enlarging its Section membership and enhancing its program offerings.

The Section will be presenting two seminars at the CBA's 2013 Annual Meeting, which will address case law updates on CUTPA and foreclosure issues.

The Section co-sponsored a seminar with the Antitrust Section, at which the Attorney General George Jepsen and Assistant Attorney General Michael Cole were the featured speakers. The Section also co-sponsored a seminar with the Insurance Law Section and the Labor & Employment Law Section on the Affordable Care Act and implementation of Connecticut's health insurance exchange.

CRIMINAL JUSTICE SECTION

JAMES M. BERNARDI, CHAIR

PURPOSE

The purpose of the Criminal Justice Section is to promote the objects of the Connecticut Bar Association within the field of the administration of criminal justice. The Section provides a forum for the discussion of issues of common interest to members of both the criminal defense bar and those who serve with state prosecuting authorities.

ANNUAL REPORT

In furtherance of the above stated purpose, the Section conducts monthly meetings that are open to Section members. At such meetings, a guest speaker addresses topics of current interest to both prosecution and defense. The Section also tracks Connecticut legislative developments relevant to the criminal law. Certain members of the Section serve on a legislative subcommittee that is developing a common agenda concerning reform of the criminal justice system. The Section also serves a resource to media and the public on matters concerning developments in the criminal law or criminal court operations.

The Criminal Justice Section has held numerous dinner meetings throughout the year to explore and discuss issues relevant to the Section's purpose. Speakers who have talked about issues within their jurisdiction or area of expertise include the following:

Wayne R. Keeney, Attorney	Chair, Judicial Review
Robert S. Bello, Attorney	Chair, Judicial Selection
Honorable Bruce P. Hudock	Judge, Connecticut Superior Court, Stamford-Norwalk District
Larry M. Rosenberg, Ph.D.	Director, Child Guidance Center of Southern Connecticut
Michael T. Bourke, Ph.D.	Lead Criminalist (DNA Section), Connecticut State Forensic Lab

The Criminal Justice Section will hold its next meeting at an event sponsored by the Litigation Section. Speakers at that meeting will talk concerning the intersection of criminal and civil litigation.

The Section's legislative subcommittee is currently debating and drafting legislative proposals concerning reform of Connecticut's grand jury system.

From time to time, upon request by the CBA, the Section's subcommittee has responded to media inquiries during the year concerning developments in the criminal law (i.e., warrant affidavit sealing, constitutionality of tracking devices). The Section also reviewed the Judicial Branch's handbook to the public on criminal court operations. The Section is currently working with bar members to teach a CLE class on criminal trial preparation.

DISABILITY LAW SECTION

BERNARD L. SHAPIRO, CHAIR

PURPOSE

The purpose of this Section is to monitor and examine the law as it pertains to the physically and mentally impaired, to support the efforts of the practicing disability Bar through periodic educational meetings that include programs provided by Section members and governmental officials, to provide mutual support in practice issues through sharing of experiences and consultations via ongoing e-mail conferences, and to influence legal and procedural changes through Section action. With the support of the CBA, advocacy with offices of legislators, and correlation with other organizations, the Section works to safeguard the rights of the disabled and provide support for the practicing Bar.

ANNUAL REPORT

Activities this year included committee meetings to address substantive and procedural practice issues and to coordinate membership and CBA efforts to positively comment and influence Social Security Administration practices and procedures that affect attorneys and their clients.

We express gratitude to our member, Attorney Ivan Katz, who established and most ably maintained communications amongst the members through his e-mail list, providing a most effective means for sharing information and promoting communication amongst the members and providing ongoing informal continuing education efforts within the Section. We also express our gratitude to all of those members who have diligently engaged in objective discussion, analysis and action aimed at preserving the integrity of the hearing process in Social Security disability-based claims in Connecticut. Their activity has worked to protect the rights of Connecticut residents and the Bar.

Section members and leadership met with and corresponded with various members of Congress and coordinated efforts with the National Organization of Social Security Claimants Representatives regarding Social Security, to promote legislation and institution of procedures in the effort to protect the rights of the clients and attorneys.

The Disability Law Section looks forward to growth, which has already been realized, and the collegial atmosphere in which we support newcomers to the field as well as our long established membership.

EDUCATION LAW SECTION

WINONA W. ZIMBERLIN, CHAIR

PURPOSE

The purpose of the Section 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

This year brought a new challenge as we continued to transition from a Committee to a Section. More members are being asked to volunteer their talents to bring the Section interesting and informative programs next year.

The Section decided that we would not take positions on pending lawsuits. This issue prompted a large amount of discussion and several meetings.

We held our annual legislative update meeting that took place on June 4, 2013 at the CBA Law Center. The meeting featured Anne Haviland Littlefield of Shipman & Goodwin LLP as the keynote speaker.

Many thanks to all Section members who have volunteered their time to prepare informative and educational programs.

ELDER LAW SECTION

KEVIN J. BROPHY, 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 responsibilities of this Section.

ANNUAL REPORT

Executive Committee

Kevin J. Brophy, Chair, Connecticut Legal Services Inc., Waterbury
Peter J. Boorman, Vice Chair, Law Office of Peter J. Boorman, Newington
Amy E. Todisco, Treasurer, Braunstein & Todisco PC, Fairfield
Paula Boa Sousa, Secretary, Collins Hannifin Garamella Jaber & Tuozzolo PC, Fairfield

Members of the Elder Law Section have engaged in a wide range of activities designed to further enhance the practice in this area of law and improve the lives of those we represent. Substantive monthly educational presentations, continuing legal education programs, appointment of work groups to address topics of interest and concern, regulatory and legislative advocacy efforts, and service to our veteran's all help to achieve the purpose of our Section.

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) participating in a committee established by the Probate Court to update their *Probate Court Practice Book Rules* and educating members on the new rules, 3) address issues concerning powers of attorney, and 4) keep abreast of the evolution in long-term care policy toward community-based care 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 2012-2013 topics have included:

- "Influencing the Legislative Process," presented by State Senator Kevin Kelly, and our lobbyists Bob Shea and Bill Chapman
- "Overview of proposed changes to the *Probate Court Practice Book Rules*," presented by Andrew S. Knott, Knott & Knott LLC; Carmine P. Perri, Czepiga Daly Dillman PC; and Patricia R. Kaplan
- "Civil Commitment," presented by Andrew S. Knott, Knott & Knott LLC, Cheshire; Thomas Behrandt, CT Legal Rights Project, and Allison Perry, Pullman and Comley LLC
- "Rights of the Elderly in People's Republic of China," presented by Lisa N. Davis, Davis Sullivan & Priest LLC; and Kate McEvoy, Director of Medical Care Administration at the Department of Social Services (DSS)
- "Developments within the DSS as to Long-Term Care," presented by Kate McEvoy, Director of Medical Care Administration at the Department of Social Services (DSS) "The Uniform Power of Attorney Act," presented by Lois G. Andrews, Andrews & Young PC
- "Analysis of the Gross Decision," by Thomas E. Gaffey, Chief Counsel, Office of Probate Court Administration
- "Overview of Long Term Care Partnership Insurance," presented by Aldo Pantano, CT Partnership for Long-Term Care, Office of Policy and Management

- “Business Succession Planning for Solo Practitioner: Planning for Death, Disability, and the Graceful Exit,” presented by Donna R. Levine, Law Offices of Donna R. Levine
- “Consumer Rights of the Elderly,” presented by Sara Poriss, Sarah Poriss – Attorney at Law LLC; Sandra G. Arenas-Charles, Assistant Attorney General, Office of the Attorney General; and Cheryl Diane Feuerman, Consumer Law Project of the Elderly of CT Legal Services

Materials from these presentations have not all been posted. A Committee is currently working with the CBA IT staff to improve and post educational materials on our Section’s Web page.

Continuing Legal Education

The Continuing Legal Education (CLE) Committee is co-chaired by Laurel Mangan, Deborah Hadaway, Joy DeFelice, Jeannine Wyszowski and Amy Orlando.

In addition to assisting with the selection of monthly meeting topics and identification of speakers, the CLE Committee offered a very successful day-long program in the spring 2013 entitled “Housing Options for the Elderly.” In addition, the Committee is sponsoring a one-hour seminar at the 2013 CBA Annual Meeting, “Medicaid Treatment of Testamentary Trusts: A Review of *Bezzini v. DSS*, 49 Conn. App. 432, 715 A.2d 791 (1998), and Its Progeny.” This session will be followed by a reception sponsored by the Section.

Desk book

Co-edited by Susan B. Nobleman and Mark W. Dost, *A Practical Guide to Issues in Connecticut Elder Law* was published by the CBA in November 2012 and may be ordered through the CBA Web site. The book is comprised of 12 chapters that offer a practical approach to identifying and resolving issues that elder law attorneys encounter in their practices.

Veteran’s Project

The Section successfully ran an estate planning event in West Haven, Connecticut that was coordinated with the assistance of the Connecticut Veterans’ Legal Center. Although we attempted to run other events, a lack of veteran respondents prevented other planned seminars from occurring. In this past event—chaired by Matthew T. Stillman, the Veterans’ Benefits workgroup assisted more than 20 veterans and their families with estate planning needs. However, through connections with both the Veterans Administration Health Care System in West Haven and the Connecticut Veterans’ Legal Center in New Haven, volunteer attorneys also provided one-on-one consultations and answered legal questions in various areas, including estate planning, real property transfers, and other areas of concern.

Although these programs are now being managed by the CBA staff, we hope to conduct at least two more of these seminars in the upcoming year—preferably in areas where both a large number of veterans reside and where no assistance has been provided previously. Possible locations may be in Willimantic, Groton, Danbury, and/or Stamford. We encourage the CBA and its relevant Sections to set aside additional committee/workgroups, so veterans with legal needs will have the ability to contact attorneys in specialized fields (e.g. real estate, family law, bankruptcy, mental health, criminal defense) for future assistance.

Probate Practice Manual

The Elder Law Section appointed one of its members—Andrew S. Knott, as its delegate to the Probate Court Rules of Procedure Advisory Committee in 2011. The project entailed an entire revision of the Probate Court’s rules. In September of 2012 (after multiple meetings, drafts, and revisions), the rules—as drafted— were presented to and approved by the Connecticut Supreme Court, as per statute. I am glad to report that the Elder Law Section played an active role in the project and that the Section was able to play an active part in shaping the practice of law in Probate Court.

DRA Workgroup

The DRA Workgroup was first established in the fall 2006 to address implementation of the Deficit Reduction Act of 2005 (DRA). Its charge is to present synopses of the law, liaising with DSS, and leading the advocacy effort before the legislative Regulations Review Committee. This year the Workgroup has been continuing these efforts, led by co-chairs Whitney M. Lewendon, Judith A. Hoberman, and Amy E. Todisco. Due to the leadership of the co-chairs, our seniors in Connecticut have a strong and enduring voice in legislation and public policy—particularly as

it impacts their benefits. The DRA Workgroup's perseverance, determination, and time commitment is unparalleled in the Section and its work embraces the purpose of our Section. Members of this group have included Kevin Brophy, Brendan Daly, Joelen Gates, Stephen Allaire, Lois Andrews, Julia Brown, Lisa Davis, Mark Dost, Richard Fisher, Steven Floman, Lea Nordlicht Shedd 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. 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. Because of the delay in the regulatory process, the workgroup looked to legislative advocacy last year to address an issue of particular concern. As a result of our advocacy and ably assisted by Robert Shea, a CBA lobbyist for the Elder Law Section, we were able to support the adoption of a bill that establishes the right for individuals to receive benefits even though previously denied if undue hardship exists.

This effort has lasted for more than five years due to the delay in the final adoption of the DRA regulations. Certain critical issues remain contested and will eventually come before the legislature's regulations review committee.

We have been invaluablely assisted in our efforts by lobbyist Bob Shea, whose contract had been extended with permission of the CBA to assist the Section in this important advocacy effort.

Power of Attorney Workgroup

Chaired by Lois G. Andrews This Workgroup—formed two years ago to address issues concerning Powers of Attorney—also includes members Suzanne Brown-Walsh, Richard Dixon, Joelen Gates, Wendy Borawski, Agnes Orłowski, and Thomas E. Gaffey. The Workgroup completed its review and proposed changes to the Uniform Power of Attorney Act (UPOAA) to adapt the language to Connecticut and forwarded it to the Estates and Probate Section for its input in 2011. The Estates and Probate Section completed its review and changes were made to the proposal to incorporate its changes. The Estate and Probate Section, the Elder Law Section, and the CBA Board of Governors approved our sponsorship of the revised UPOAA in 2012 and the proposal was then submitted to the State Legislature. At this time, we have not received any updates as to its status in that process.

Legislative Workgroup

The Elder Law Section continues to vigorously engage in relevant legislative and regulatory advocacy on the State level. The Section's emphasis continues to be a positive engagement with our lobbyists, legislators, and members of the Department of Social Services to advance the concerns of our existing elders, future elders and their caregivers. Ably led by our Elder Law Section Vice-Chair and legislative liaison Peter J. Boorman, the Legislative Workgroup is comprised of Sandra Sherlock-White, Paula Boa Sousa, Sharon Pope, and Stephen O. Allaire. Other active Section members that spend significant time in this area include Whitney M. Lewendon, Amy Todisco, Judith Hoberman, and Brendan Daley.

Seven major areas of effort include:

1. Advocacy of partial return of asset legislation—to promote an incentive for individuals to return funds received from Medicaid applicants to minimize penalty periods for eligibility.
2. Advocacy for the increase of the community spouse protected amount—Under the Medicaid program, it is sound public policy to increase the amount of assets allowed for the spouse who remains in the community to promote his/her ability to successfully remain in the community instead of being put in a position of need and therefore necessitating additional social welfare.
3. Oppose the Elimination of the Commission on Aging.
4. Oppose the addition of new grounds for the discharge of the elderly from nursing homes.
5. Advocate for the approval of appropriate regulations from the Department of Social Services to implement provisions of the Federal Deficit Reduction Act.
6. Advocate for the increase of the personal needs allowance for nursing home residents on Medicaid.
7. Advocate for the increase of home care services to the elderly and disabled populations.

During the 2013 legislative session, Section members have and continue to present written and oral testimony to legislators on bills as they work their way through the legislature. The Section utilizes the services of our lobbyists Bill Chapman and Bob Shea on frequent occasions and meets with individual and groups of legislators. All of these measures are designed to promote the areas discussed above.

Certification and Specialization Study Group

In 2010, the Section began addressing a request before the Rules Committee of the Superior Court by the Connecticut Chapter of the National Academy of Elder Law Attorneys (CT NAELA). Its request sought 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, e, George Bickford, and Fred Sette), which reported to the Section in the Fall of 2010, after completing research and gathering feedback from Section members through round-table discussion and email outreach.

In 2010, the Section agreed that Elder Law is a field in which an attorney may be certified and furthermore crafted a definition approved by the Section. The Section brought this to the HOD and the HOD voted to support a rule change and proceeded to inform the Rules Committee of the Superior Court of such action. The Rules Committee approved our definition in the fall of 2011.

Nonetheless, in 2012, the Estates and Probate Section commenced a study group on the issue of whether Estates and Probate ought to seek a certification as they already have a specialty under rule 7.4. However, the study group's definition is quite short and very generic, unlike the comprehensive Elder Law definition. The Estates and Probate Section sought approval from the HOD to withdraw the request from the rules committee at this time, as the Section felt strongly that there would be confusion among the public. The HOD approved this and has withdrawn the request. Both Sections agreed to work together to iron out the definition.

The Elder Law Section's workgroup consisted of George B. Bickford as chair and members Sharon L. Pope, Amy E. Todisco, Sandra Sherlock White, and Paul T. Czepiga. Through the joint effort of the Elder Law and Estate and Probate Sections, a definition of elder law was reached and approved by both Sections. This definition was presented to the Rules Committee of the Superior Court in March 2013, which decided to postpone a decision until the 2013-2014 Bar year. The Rules Committee requested that the Elder Law Section make a recommendation as to the certifying agency. Our workgroup will work on this issue during the summer of 2013 and make a proposal to the Elder Law Section in the fall.

ENERGY, PUBLIC UTILITY, AND TELECOMMUNICATIONS LAW SECTION

LEE D. HOFFMAN, CHAIR

PURPOSE

This Section—formerly the Public Utility Law Section—aims to (1) promote communication among members of the Bar involved in energy, public utility, and telecommunications law; (2) promote an exchange of ideas relating to the practice of energy, public utility, and telecommunications law; (3) provide a mechanism for education of the Bar and the public on energy, public utility, and telecommunications matters; and (4) seek opportunities to improve the energy, public utility, and telecommunications regulatory processes.

ANNUAL REPORT

As been the case for the past several years, the Energy, Public Utility, and Telecommunications Law Section has split its time between providing educational outreach for its members and reaching out with other CBA Sections and non-CBA affiliate organizations in order to broaden the scope and reach of the Section to provide benefits to its members.

One of the chief ways the Section does this is through its programming. Because energy, utility, and telecommunications laws are complex and ever-changing, our members seek out educational opportunities at every turn, and the Section meetings provide a convenient way to provide this service to our members. In addition to allowing for collegiality and discussion among the members, our speakers provide the section with up-to-date information that members can use for their practice.

Our Section's programming year began in September 2012 with guest Arthur H. House—the newly appointed Chairman of the Connecticut Public Utilities Regulatory Authority (PURA), as the evening's speaker. Chairman House spoke of his new duties at PURA and where he anticipated the agency would be going in the months' ahead.

The Section's next meeting was jointly held with the CBA's Environmental Section in November 2012. Guest speaker for this program was Daniel C. Esty, the Commissioner of the Connecticut Department of Energy and Environmental Protection. Commissioner Esty spoke of his plans for increased renewable energy being required by the state, as well as how DEEP would be implementing Governor Malloy's Comprehensive Energy Strategy that had been announced the month before.

On January 16, 2013, the Section put on a joint meeting with the Connecticut Power and Energy Society and invited State Senator Bob Duff and State Representative Lonnie Reed of the Connecticut General Assembly to speak at the event. Sen. Duff and Rep. Reed are each serving their first terms as co-chairs of the General Assembly's Energy and Technology Committee, and this was the first opportunity of our Section's members to gain insight as to what the co-chairs' were planning for the for legislative session that had just started the week before. This was our best-attended event of the year.

In April 2013, Deputy Commissioner Katie Scharf Dykes and Special Assistant Alex Kragie of DEEP spoke to Section members about the future of renewable energy in Connecticut. In addition, they both shared with members the policies the State is undertaking to enhance the development of renewable energy in Connecticut. The well-received session allowed for extensive audience feedback and participation.

In addition, the Section membership undertook three votes of note at the April 2013 meeting. The first was to replace outgoing secretary Debbie C. Albrecht, who had relocated her practice to West Virginia. The Section will miss Attorney Albrecht's leadership and volunteer spirit and wishes her well in her new endeavors. Jennifer Galliette, the Section's treasurer, graciously volunteered to assume the secretarial responsibilities, while Matthew L. Stone offered to assume the role of treasurer. Both individuals were voted into their new positions by the membership.

Over the past several years, the Section's membership has noted that—with the deregulation of many utilities, such as phone and electric utilities—our practice has broadened, as has the Section's mission. However, the Section's name has not kept pace with current events. In response to this issue, the membership voted at the April 2013 Section meeting to change the Section's name from the Public Utility Law Section to the Energy, Public Utility, and Telecommunication Law Section to reflect this broader mission. In addition, the membership voted to increase upcoming Section dues from \$35 per year to \$40 per year (effective with the next billing cycle).

The Section is looking forward to a robust 2013-2014 programming cycle and its continued involvement with the larger Bar, as a whole.

ENVIRONMENTAL LAW SECTION

DOUGLAS S. PELHAM, CHAIR

PURPOSE

The purpose of this section shall be to safeguard and enhance conservation and environmental quality; to promote the objectives of the CBA relative to environmental law; to promote the practice of environmental law, including compliance with the Rules of Professional Conduct; to foster relationships among attorneys with an interest in conservation and environmental law; to offer opportunities for discussion of an exchange of information about current issues; to aid in the drafting, review, and interpretation of legislation and regulations; to assist with education of the general public, the news media, and others about conservation and environmental law; and to undertake such other activities as the section or the CBA may deem appropriate.

ANNUAL REPORT

Section Meetings

- **September 24, 2012:** “Roundtable Discussion of Current DEEP Happenings.” The Section held a round table discussion moderated by Douglas S. Pelham (Section chair) regarding the latest ideas and proposals from DEEP over the summer.
- **October 17, 2012:** “Land Use Litigation Docket.” The Section held a joint meeting with the Planning and Zoning Section. The Honorable Marshall K. Berger, Jr. spoke about the new land use litigation docket and how it will be administered.
- **November 28, 2012:** “State’s Draft Comprehensive Energy Strategy.” The Section held a joint meeting with the Public Utility Law Section. Daniel C. Esty, Commissioner of the Department of Energy and Environmental Protection, gave a presentation about the State’s draft comprehensive energy strategy, and also took questions about the Comprehensive Transformation of Connecticut’s clean-up statutes.
- **December, 2012:** No meeting.
- **January 24, 2013:** “Review of DEEP Transformation Report and Roundtable Discussion.” Douglas S. Pelham, (Section chair) gave a presentation regarding the latest status of the Comprehensive Transformation of the Connecticut clean-up statutes.
- **February 26, 2013:** “A Discussion with Deputy Commissioner Macky McCleary.” The Deputy Commissioner of the Department of Energy and Environmental Protection (DEEP) Macky McCleary spoke to the section at a rare breakfast meeting and answered questions from the Section regarding the transformation of environmental cleanup laws and DEEP’s current agenda.
- **March 27, 2013:** “A Connecticut Legislative Update.” The Section met at the UConn Law School with the Center for Energy and Environmental Law (with Joseph A. MacDougald, Professor-in-Residence and Executive Director, University of Connecticut School of Law in attendance). Senator Edward Meyer gave an update regarding the various bills before the Environmental Committee of the legislature.
- **April 25, 2013:** “Topics of Interest in Energy and Environmental Law.” Four University of Connecticut School of Law students of Alan Kosloff presented papers on the *Colebrook Wind Farm* case and the *Nizzardo v. State Traffic Commission*.
- **May 20, 2013:** “A Mock Negotiation of a Sale of Contaminated Property.” The Section held a joint meeting with Environmental Professionals’ Organization of Connecticut and the Connecticut Chapter for Women Environmental Professionals. A panel including Elizabeth C. Barton, Kathleen Cyr, Rachel M. Rosenand Jane K. Warren discussed a hypothetical transaction and the issues that arise from the various viewpoints of environmental professionals (attorneys and consultants). It was a very entertaining program that provided insight on how we can all work together to achieve the best results for the client.
- **June 19, 2013:** “Summer Outing and Clyde O. Fisher, Jr. Award.” We will have our annual summer outing and present the Clyde O. Fisher, Jr. award.

Executive Committee Meetings

- **September 24, 2012:** The Executive Committee approved the slate of officers for the 2012-2013 Bar year, and voted to establish a Transformation Committee to respond to the proposed Comprehensive Transformation materials to be developed by DEEP.
- **January 24, 2013:** The Executive Committee met but did not have any business to conduct.
- **May 20, 2013:** The Executive Committee voted on the new Chair for the upcoming Bar year and discussed the Clyde O. Fisher, Jr. award nominations.

CLE

Keith F. Ainsworth (Section vice-chair) will present a CLE at the June 17 Annual Meeting entitled "Following in the Path of the Storm: Legal and Legislative Challenges in Addressing Rising Sea Levels on the Connecticut Coastline."

Legislative Efforts

- The Executive Committee authorized Douglas S. Pelham to submit a comment letter on the DEEP's Transformation Workgroup Reports dated November 20, 2012. The comment letter was submitted to the Department of Energy and Environmental Protection on December 21, 2012.
- The Executive Committee authorized t Douglas S. Pelham, to submit a comment letter on the DEEP's Draft Proposal for a Transformed Cleanup Program dated February 7, 2013. The comment letter was submitted to the Department of Energy and Environmental Protection on March 29, 2013.

ESTATES AND PROBATE SECTION

JOHN IVIMEY, 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 2012 through May 2013. 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 continued a very active CLE component for all of our meetings. For our open meetings, we heard from:

- Todd N. Angkatavanich and Edward A. Renn who discussed the essentials of Chapter 14
- Ronald D. Aucutt who spoke about new federal estate tax legislation
- Suzanne Brown Walsh who spoke about digital assets and estate planning

In addition, many members of the Executive Committee and others willingly gave their time to make presentations at the Section's regular meetings. These presentations included such topics as the probate practice book, the Uniform Power of Attorney Act, decanting, the Medicaid surtax, and the portability regulations.

The Section was also involved with several CLE programs available to all practitioners, including co-sponsoring an all-day seminar on the new Connecticut probate practice book. Members were also active with the Federal Tax Institute of New England, which held an all-day seminar with national speakers in Hartford in September 2012.

The Section published two more issues of its newsletter this Bar year and hopes to continue to do so in the future. Rather than mail hard copies, the Section is 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.

The Section volunteered to help with a project to assist needy veterans with the preparation of wills and related documents, and it responded to the needs of the families of the Newtown tragedy. In addition, the Section examined the possibility of Section certification and specialization, and it agreed to work with the Elder Law Section on appropriate definitions for certification.

On the legislative front, the Section worked toward the passage of the Uniform Power of Attorney Act and, also, continued efforts toward the eventual passage of other uniform laws—the Uniform Trust Code being one of them. The Section proposed (and is hopeful) that the legislature will amend Connecticut estate tax law to avoid double taxation in certain cases. It responded to several proposals in the legislature, including a proposal to adopt a pilot program for Physician Orders for Life Sustaining Treatment (POLST) and a proposal to limit the access to death certificates.

We thank the many members of our Section who helped with all of these activities this year.

FAMILY LAW SECTION

KATE W. HAAKONSEN, CHAIR

PURPOSE

The purpose of this Section shall be to promote participation by the Connecticut Bar Association and its members in the promulgation, study, review, and revision of the laws of the State and Nation of particular significance to the family and the individual members thereof. The functions of the Section include the study, analysis, consideration, research, and investigation of legal principles having particular significance to and legal implications upon the family and its members including, but not limited to, child custody and welfare and the dissolution of marriages and civil unions; the promotion of the Bar's leadership and matters of public importance affecting the legal rights of families; the publication of the Section's findings, studies and reports; the preparation, evaluation, submission, advocacy, endorsement and the opposing of legislation pertaining to such family matters; the presentation of programs of interest to and for the members of the Section as well as the general public; and the encouragement of cordial relations between members of the Bar and members of other professional and disciplines concerned with the family.

ANNUAL REPORT

The Section officers for the 2012-13 year have been:

Kate W. Haakonsen, Chair, Brown Paindiris & Scott LLP, Glastonbury

Robert D. Zaslow, Vice Chair, Zaslow & Sandler LLC, West Hartford

Allen Gary Palmer, CLE, Halloran & Sage LLP, Hartford

David W. Griffin, Secretary, Rutkin Oldham & Griffin LLC, Westport

Linda L. Mariani, Treasurer, Mariani & Reck LLC, New London

Sharon Wicks Dornfeld, Immediate Past, Law Offices of Sharon Wicks Dornfeld, Danbury

Monthly dinner meetings are held on the second Tuesday of each month with the exception of July and August. The meetings in September 2012, February 2013, and June 2013 are Executive Committee meetings. Each of our general meetings includes a CLE component and "Two Minutes from the Floor" for brief announcements; Committee Reports; and some also include Case Update reports (usually this Bar year presented by Alexander J. Cuda, Rutkin, Oldham & Griffin, LLC, Westport). Our monthly speakers included the Honorable Lynda Munro, Chief Administrative Judge of Family Matters, Middlesex Judicial District, Middletown; Peter M. Bryniczka, Schoonmaker George & Blomberg PC, Greenwich; Retired Judge Elaine Gordon, Westbrook; Samuel V. Schoonmaker IV, The Schoonmaker Legal Group LLC, Stamford; and a panel of sitting judges reflecting on various questions that resulted in a very lively discussion. In March 2013, the Section had a joint meeting with the Commercial Law and Bankruptcy Section with a panel discussing two cases of interest to both Sections. The meeting was very well received.

In addition to the CLE presented at our monthly meetings, Samuel V. Schoonmaker IV, The Schoonmaker Legal Group LLC, Stamford, conceived a new CLE vehicle together with Allen G. Palmer, Halloran & Sage LLP, Westport, and retired Judge Elaine Gordon, Westbrook, called *Case Flash*, a terrific on-line video series presenting brief overviews and discussion of recent cases of interest to the Section. This represents a smart new format for the fast delivery of CLE to members. *Cash Flashes* can be seen on the CBA Web site on demand.

Additionally, Attorney Palmer has scheduled two programs to be presented at the CBA Annual Meeting: "*Case Flash Live! And the Annual Review of New Developments in Family Law*" and "The DSM-5 and Its Practical Application to the Family Lawyer."

Several Committees were active this year. The By-laws Committee drafted a thoughtful revision of the Section's by-laws which were adopted at the April meeting. The Uniform Pre-marital Agreement Act Committee reviewed that act and reported to the Section. The Alimony Study and Review Committee were highly engaged in addressing two

bills introduced in the General Assembly this session, as well as planning a possible symposium for fall 2013. In addition, other working committees included Amicus Protocol and the perennial Legislative Committee.

The 2013 was a “long session” in the Legislature. Our Legislative Committee, consisting of Shirley M. Pripstein, Greater Hartford Legal Assistance Inc., Hartford; Kate W. Haakonsen, Brown, Paindir & Scott LLP, Hartford; Edie F. McClure, Connecticut Collaborative Divorce Group, West Hartford; Sharon Wicks Dornfeld, Law Offices of Sharon Wicks Dornfeld, Danbury; Sandi B. Girolomo, Flaherty Legal Group LLC, West Hartford; and Melissa E. Osborne, Melissa E. Osborne Law Office, Avon, were kept busy tracking and evaluating numerous bills of interest to the Section. They devote many hours to research, meetings with legislators, testifying on the Section’s behalf and coordinating with the CBA lobbyist and other interested groups. The Committee worked with lobbyists Bob Shea and Bill Chapman. Of particular interest this session were the reintroduction of “Alimony Reform” bills, which the Section successfully opposed as written; and a bill regarding the exemption of veteran’s benefits from consideration for support, alimony or property division in divorce; and a bill creating a presumption of shared parenting. No bills opposed by the Section passed as of this report. Two bills appear poised to pass in a form that will result in studies being conducted.

The Section sought and received approval to contribute \$5,000 to the Connecticut Women's Education and Legal Fund (CWEALF) to help fund a study of the financial outcomes of divorce in selected judicial districts. One purpose of the study is to gather data to determine whether anecdotal claims that the current system is unfair, unpredictable, and inconsistent in its outcomes are supported by actual results of cases.

The Section, as a whole, and its individual members remain devoted to advancing the practice of Family Law, promoting professionalism and civility among the bar, and ensuring access to the courts. Countless other members of our Section have volunteered to serve as *pro bono* attorneys, mentors to younger colleagues, speakers at our CLE programs, and as members of committees, commissions, and Task Forces. Their willingness to participate reflects well on the Section and the Bar as a whole.

FEDERAL PRACTICE SECTION

TIMOTHY DIEMAND AND PATRICK MCHUGH, CO-CHAIRS

PURPOSE

The Federal Practice Section is involved with all aspects of practice in the federal courts in Connecticut. Working closely with the federal district and magistrate judges, who are *ex officio* members of the Executive Committee, as well as Clerk of Court Robin Tabora and Chief Deputy Clerk Dinah Milton Kinney, the 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, relevant legislation, content for general meetings, presentations, and topics for the federal bench-bar conference. Through its committees, the Section takes an active role in shaping and commenting on legal and procedural developments affecting federal practice.

ANNUAL REPORT

On October 19, 2012 the Section held its bi-annual Bench-Bar Conference for the District at St. Clement's Castle in Portland, Connecticut. Panel discussion included Election Law (particularly timely, occurring less than a month before the U.S. presidential election), Cyber Security Law, and Sports Law. Chief Judge Alvin W. Thompson reported on the State of the District. Circuit Judge Susan L. Carney provided a report on the State of the Second Circuit. Chief Judge Thompson also presented the Pro Bono Award to Craig A. Raabe and Jeffrey B. White and also presented the Raymond Green Award (for outstanding service to the Grievance Committee) to Frank J. Silvestri, Jr. The Section recognized and welcomed the judicial delegation from Moldova visiting the United States as part of the national federal judiciary's efforts to advance dialogue on the Rule of Law. The event committee members Jeffrey Hellman, Jonathan J. Einhorn, Patrick Klingman, James R. Smart and T. Scott Cowperthwait did a wonderful job.

The next general Section meeting took place on January 16, 2013 at the Bridgeport Courthouse. U.S. District Judge Stefan R. Underhill hosted a presentation on the "Electronic Courtroom," with the technology now installed in the court that permits paperless trials. Clerk of Court Robin D. Tabora and Chief Deputy Clerk Dinah Milton Kinney introduced the District's IT staff. Vaughan Finn and Paul Sanson and Adam Mocchiolo then demonstrated the technology. Following the presentation, the Court graciously provided dinner to attendees in the courthouse.

On March 20, 2013, in conjunction with the Hartford County Bar Association (HCBA), the Section hosted a reception in honor of our newest District Court Judge, The Honorable Michael P. Shea. The event was well attended and the Section looks forward to sponsoring more events with the HCBA (and other local Bar Associations).

On June 12, 2013, the Section hosted its annual bench-bar social at the Pine Orchard Yacht & Country Club in Branford, Connecticut.

On June 17, 2013, the Section will be present an educational seminar at the CBA Annual Meeting entitled *Toward "The Just, Speedy, and Inexpensive Determination of Every Action"? A Preview of the Proposed Changes to the Federal Rules of Civil Procedure*. The distinguished panel of presents will include The Honorable Lorna G. Schofield, U.S. District Judge for the Southern District of New York; The Honorable Donna F. Martinez, U.S. Magistrate Judge for the District of Connecticut; Professor D. Alexandra Lahav, Professor of Law, University of Connecticut School of Law; and Joseph D. Garrison, Garrison Levy-Epstein Chimes Richardson & Fitzgerald, New Haven (and representative of the National Employment Lawyers Association to the Federal Rules Advisory Committee).

In addition to the general Section meetings, several Executive Committee meetings were held this past Bar year. At these meetings several issues were discussed regarding local rule change proposals, educational programs, the impact of sequestration on the District, and reports that were received regarding the District from Chief Judge Alvin W. Thompson and Clerk of Court Robin Tabora.

2012-2013 Officers

Timothy Diemand, co-chair, Wiggin and Dana LLP, Hartford

Patrick McHugh, co-chair, Finn Dixon & Herling LLP, Stamford

David Schaefer, vice-chair, Brenner Saltzman & Wallman LLP, New Haven

Vaughan Finn, secretary, Shipman & Goodwin LLC, Hartford

Robert Frost, treasurer, Frost Bussert LLC, New Haven

FRANCHISE, DISTRIBUTION, AND DEALERSHIP SECTION

DAVID REIF, CHAIR

PURPOSE

This Section aims to provide (1) a forum in which those practicing in the field of franchise law can share ideas, continue their professional growth, and meet others who share the same professional interests; (2) an educational forum for those who may not practice in the field on a regular basis, but want to learn more about the field of franchising in order to better serve clients with needs in that area; and (3) a resource for groups outside the legal profession who want to learn more about the business, legal, and practical aspects of franchising.

ANNUAL REPORT

This past year, the Section—in addition to a program of continuing education—has begun to target membership and growth. Because of the perceived narrowness of our focus, membership has been relatively small over the years. By gathering information regarding potential Connecticut companies with in-house counsel who might have an interest in our core practice, the Section is undertaking a process of increasing its corporate representation. The hope is that, by involving more in-house lawyers, the Section will also increase the number of outside counsel who will attend the Section’s meetings.

Because the Franchise, Distribution, and Dealership Section practice covers a variety of disciplines, in order to increase the number of attendees who are present—and, accordingly, the value to its speakers—the Section has begun to hold joint CLE programs. The Section joined with the Alternative Dispute Resolution Section in a joint program on alternative resolution of franchise disputes. In addition, the Section—together with the Litigation Section—will be presenting a program at the CBA’s 2013 Annual Meeting entitled “Liability is Only Step 1— Damages and Valuation in Business Litigation.” While plans are not yet formalized, we also hope to join with the Antitrust Section for a CLE on a current topic to our combined membership during the closing of the 2012-2013 Bar year.

Under the able and continuing leadership of legislative chair, Alexander “Sandy” Meiklejohn, Quinnipiac School of Law, the Section has monitored legislation to assess whether there are any bills upon which we might seek to take a position. While none arose this year, Attorney Meiklejohn’s efforts serve to keep the Section’s members apprised as to potential legislation which is relevant to their practices.

In closing, many thanks to this year’s officers: Nicole Liquori Micklich, chair-elect; Allan Hillman, Secretary; and Paul D. Sanson, Treasurer. Particular thanks to Attorney Hillman for his leadership as chair for several years. He has left all of us a great platform on which to build upon.

HEALTH LAW SECTION

PAUL E. KNAG, CHAIR

PURPOSE

The purpose of the Section is to provide a forum for Association members with an interest in law pertaining to health care, particularly—but not limited—to those areas and issues concerning provision of health care services; the regulation and licensure of health care providers and their services; medical malpractice and medical jurisprudence; medical disabilities and proposal of statutes and amendments to statutes concerned with these or related fields; and any other matters of relevance. The Section will encourage and participate in joint meetings and other activities with other Sections and Committees for discussion of matters of mutual interest. In addition, the Section will provide a forum in which interprofessional cooperation can be advanced.

ANNUAL REPORT

Meetings

The Health Law Section held four meetings in 2012-2013 Bar year. All the meetings had very strong attendance in the range of 50-plus attendees. All four meetings were held jointly with the Connecticut Health Lawyers Association, which contributed to the strong attendance. At the first meeting, the Section had speakers Kevin Counihan, President, Connecticut Health Insurance Exchange, Hartford; and William A. Donahue and Ken Lalime, both of HealthyCT, Wallingford. At the second meeting, a legal update was held featuring many of our Section members. At our third meeting, our speakers were John Murphy, CEO, Western Connecticut Health Network, Inc., representing Danbury and New Milford Hospitals; and Bruce Cummings, CEO, Lawrence and Memorial Hospital, New London. The Section's final meeting will take place on June 17, 2013 at the Connecticut Bar Association 2013 Annual Meeting. A panel consisting of Edward M. Kennedy Jr., President, Marwood Group, New Haven; and Paul E. Knag, Health Law Section Chair, Murtha Cullina LLP, New Haven; will be making the presentation—"Key Health Care Federal and State Legislative and Regulatory Issues in 2013 and Industry and Investor Response"—that will detail federal and state developments in health care law.

Executive Committee Meetings

There was a meeting in September 2012 and another was held in May 2013.

CLE

All of our programs had substantial educational value, as indicated by the strong attendance.

Based on the quality of the meeting speakers and the robust attendance at each meeting, we consider this 2012-2013 Bar year a great success for the Section.

HUMAN RIGHTS AND RESPONSIBILITIES SECTION

BARBARA J. COLLINS, 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 civil and human rights and responsibilities, as well as the lawyer's role in the pursuit of such rights through the Rule of Law. The main forum for our efforts is the General Assembly.

ANNUAL REPORT

Meetings

Meetings are always open to all Section members. The Section meets several times a year; but, generally, the Section communicates with its members via e-mail.

CLE

In 2012–2013, the Section has concentrated on supporting legislation to increase voting rights, and the several bills that concerned human trafficking. The latter was a follow up our last CLE offered at a previous Annual meeting and concerned rape as a war crime. We also have been monitoring the budget battles to ensure that the Commission on Human Rights and Responsibility (CHRO) retains adequate funding since, unlike many other agencies, CHRO's funding and staffing has decreased on an annual basis and there is legislation each year to eliminate the only agency in the State that handles discrimination complaints.

INSURANCE LAW SECTION

MICHAEL T. MCCORMACK, 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 (the “Section” or “ILS”), the Section respectfully submits its Annual Report for Fiscal Year (FY) 2012-2013. It is pleased to report that during this Bar year, the Section presented four CLE programs; co-sponsored one CLE program; and had a number of Section members provide pro bono guidance and advice through its Section Disaster Hotline to members of the general public who had insurance questions following Storm Sandy in October 2012.

Section Meetings

The Section met three times in FY 2012-2013, each time in conjunction with a CLE program. It also co-sponsored a CLE dinner meeting with the Construction Law and Young Lawyers Sections. The Section Meetings were as follows:

- **October 15, 2012** The Section hosted a meeting at Baci Grill in Cromwell, at which the officers of the Section were introduced and developments with the Disaster Insurance Hotline were discussed. Connecticut Insurance Commissioner Thomas B. Leonardi was our guest speaker, and he discussed developments at the Connecticut Insurance Department—including efforts to attract captive insurance companies to Connecticut and the Connecticut Health Insurance Exchange that was created as a result of the federal Affordable Care Act. In addition, Attorneys Regen O’Malley and Edward P. McCreery III presented a summary of significant cases relating to insurance during the past year.
- **March 7, 2013** The Insurance Law Section co-sponsored a CLE meeting with the Construction Law Section and the Young Lawyer Section at the Sheraton Hartford South hotel. The meeting included a seminar that addressed the implication of the Connecticut Supreme Court’s decision in *State v. Lombardo Brothers Mason Contractors, Inc.*, in which the Court ruled that the State is exempt from operation of statutes of limitations and repose under the doctrine of nullum tempus. Panelists from the Insurance Law Section included Gregory D. Podolak.
- **March 28, 2013** The Section held a dinner meeting at Carmen Anthony’s Fish House in Wethersfield. This meeting was rescheduled from January 28, 2013 due to inclement weather. The meeting was co-sponsored with the Labor & Employment and Consumer Law Sections and it included a presentation by Danielle S. Williams, Consumer Outreach and Engagement Manager, Access Health CT, Hartford (the Health Insurance Exchange created by The State of Connecticut pursuant to the federal Affordable Care Act). Attorney Williams discussed the creation, implementation, and planned operation of the Health Insurance Exchange and insurance programs to be offered pursuant to the Affordable Care Act when the Exchange becomes operational in October 2013. Alexandria L. Isaac also provided a summary of significant insurance legislation and proposed legislation of interest to the Insurance Law Section.
- **April 16, 2013** As the Section has in years’ past, it held a dinner meeting at University of Connecticut School of Law. This meeting was rescheduled from March 7, 2013 due to inclement weather. The

meeting was a joint CLE meeting with the Litigation Section, at which panel members spoke about critical insurance considerations when prosecuting or defending civil litigation cases. Panelists from the Insurance Law Section included Peter Kochenburger, Executive Director of the UConn School of Law Insurance Law Center,; Leonard M. Isaac, Brennan & Isaac, Waterbury; Edward P. McCreery III, Pullman & Comley LLC, Bridgeport; Elizabeth J. Stewart, Murtha Cullina LLC, New Haven; and Ryan M. Suerth, Ryan Suerth LLC, Madison. Elizabeth F. Ahlstrand, Seiger Gfeller Laurie LLP, West Hartford, served as moderator.

- **June 17, 2013** At the 2013 CBA Annual Meeting at the Connecticut Convention Center, Hartford, the Insurance Law Section, in conjunction with the Technology Law Section, will present a panel entitled *Cyber Risks and Insurance: Understanding the Exposure, Knowing the Coverage, and Limiting the Risk*. The panel will address cyber-related risks and liability issues and insurance issues arising from cyber risks. Section members who will speak on the panel include Jeffrey J. Vita, Saxe Doernberger & Vita PC, and Stephen P. Brown, Wilson Elser Moskowitz Edelman & Dicker LLP.

Executive Committee Meetings

By June 1, 2013, the Executive Committee will have met four times in FY 2012-2013; at the CBA headquarters in New Britain, at the law offices of Saxe, Doernberger & Vita in Hamden, and two times by telephone. Our by-laws permit attendance by any interested Section member and also permit attendance by teleconference. The meetings were as follows:

- **September 11, 2012** At the first Executive Committee Meeting, the following officers were elected: Regen O'Malley, Vice Chair, O'Connell Attmore & Morris LLC, Hartford; Marilyn B. Fagelson, Treasurer, Murtha Cullina LLC, New Haven; and Joseph J. Arcata III, Secretary, Halloran & Sage LLP, Hartford. Gregory D. Podolak, Saxe, Doernberger & Vita PC, Hamden; Marilyn B. Fagelson, Murtha Cullina LLC, New Haven; and Elizabeth F. Ahlstrand, Seiger Gfeller Laurie LLP, West Hartford, agreed to serve on the Education Committee of the Section and to assist with the development of Section education programs. Ryan M. Suerth, Ryan Suerth LLC, Madison, and Alexandria L. Isaac, Morrison Mahoney LLC, Hartford, agreed to lead the Legislative Committee and track legislation of interest to the Insurance Law Section. Goals and agendas for the fiscal year were discussed.
- **December 10, 2012** A financial report was provided and a discussion of attracting new members took place. The Section also discussed the continued operation of the Disaster Hotline. Ryan M. Suerth, Ryan Suerth LLC, Madison, provided a legislative update.
- **March 25, 2013** A telephonic Executive Committee meeting was held, at which the Section financial report was presented. Executive Committee members also discussed the insurance legislation spreadsheet created by Alexandria L. Isaac, Morrison Mahoney LLC, Hartford, and Ryan M. Suerth, Ryan Suerth LLC, Madison, which summarizes legislation and proposed legislation of interest to the Insurance Law Section. The legislation spreadsheet is posted on the CBA Web site and was distributed to members of the Insurance Law Section.
- **May 22, 2013** The final meeting of the 2012-2013 Bar year featured a discussion of the upcoming CLE program at the 2013 CBA Annual Meeting pertaining to the topics of cyber liability risks and data security breaches and insurance issues. The Section also discussed planning for 2014.

Publications

The Section periodically provides updates and case law summaries to all of its members and keeps its members abreast of significant cases and legislation.

Other Programs and Events

The Disaster Storm Hotline created in FY 2011-2012 continued to operate in FY 2012-2013. Following Storm Sandy in October 2012, volunteers from the Insurance Law Section fielded approximately 12 phone calls from members of the public and provided guidance on insurance claims arising from Storm Sandy. The Disaster Storm Hotline resulted in interest from the media and other CBA Sections. In the fall of 2012, the Section's former chair—

and now Connecticut Superior Court Judge—Charles T. Lee was interviewed for an article about insurance claims issues following Storm Sandy that appeared in the November 1, 2012 edition of *The New London Day*. In addition, Section Chair Michael T. McCormack, Hinckley Allen & Snyder LLP, Hartford, appeared on NBC Connecticut News on November 2, 2012 to discuss the Section's storm hotline and its availability to members of the general public. Through discussions with incoming CBA president Kimberly A. Knox, Horton Shields & Knox PC, Hartford, the Section also learned that its hotline was used as a model for volunteers from the Probate Law Section whose members assisted families and victims of the Sandy Hook School tragedy. The Insurance Law Section has recently been contacted by the Committee on Profession Ethics to provide that Committee with guidance in developing a formal hotline to address questions relating to professional ethics. The Section is happy to provide such guidance.

Much was accomplished this year by many members of the Section working together. The chair of the Section communicated with all Section members on a regular basis through email, keeping each member informed of Section events and inviting all members to participate in Section activities. The Section plans to continue to increase interest and participation by more Section members in FY 2013-2014.

INTELLECTUAL PROPERTY LAW SECTION

NIKE V. AGMAN AND JONATHAN A. HARRIS , Co-CHAIRS

PURPOSE

The purpose of this Section shall be to promote the objects of the Connecticut Bar Association in Patent, Trademark, Copyright, and other related fields of law.

ANNUAL REPORT

In order to increase participation and interest in Section activities, the co-chairs chose as the first plan of action for the Section to make the Executive Committee representative of all attorneys practicing intellectual property law in the state. To that end, the goal was to invite attorneys working in law firms of all sizes and those working in-house at Connecticut corporations to become members of the committee. The Executive Committee now comprises intellectual property attorneys from eight different law firms and six different Connecticut corporations. The co-chairs envision increasing the size of the Executive Committee in the coming year.

Executive Committee Meetings

The first Executive Committee meeting was held in December 2012 to discuss goals for the Bar year and to brainstorm about ways of increasing membership participation. The Executive Committee discussed potential events, topics, venues, and attendance expectations. In addition, it recognized that the major challenge to planning programming is competition from other professional intellectual property organizations. Therefore, the Executive Committee decided to concentrate efforts on organizing one widely attended kick-off event that would serve to bring attention to the Section and to encourage membership participation in other Section programs. The Executive Committee also decided to rework the section By-Laws that were last revised in 1988. A second Executive Committee meeting was held at the end of May 2013.

Continuing Legal Education

The section, in conjunction with the Intellectual Property Subcommittee of the Young Lawyers Section, hosted two CLE seminars this year.

- “IP Matters: Protecting and Enforcing Your Client’s Intellectual Property Rights” on October 15, 2012, with featured speakers: Walter B. Welsh, Michaud-Kinney Group LLC, Middletown; Benjamin C. White, St. Onge Steward Johnston & Reens LLC; and Nike V. Agman, Axinn, Veltrop & Harkrider LLP, Hartford
- “Trading in Secrets: Dealing with Employee and Data Mobility” on April 22, 2013, featuring speakers: Jason T. Murata, Axinn, Veltrop & Harkrider LLP and John M. Tanski, Axinn, Veltrop & Harkrider LLP

As attendance was lower than anticipated for both events, the Executive Committee will discuss strategies for increasing attendance that do not thwart the Section’s ability to provide quality continuing legal education.

Non-CLE Programming

After the December Executive Committee meeting, the co-chairs reached out to a number of potential speakers—including in-house counsel for professional sports organizations and law school faculty members. Two events originally envisioned for March 2013 (“Intellectual Property in Professional Sports”) and May 2013 (“Intellectual Property in the International Arena”) have been postponed until the fall of 2013 because of venue-and-speaker scheduling conflicts. During its next meeting, the Executive Committee discussed fall event planning, including strategies for ensuring attendance.

Section By-Laws

The 2012-2013 Executive Committee has undertaken the task of rewriting the Section By-Laws, of which were last updated in 1988. Among other things, the revision will address updating officers and Standing Committees to comport with the current goals of the CBA and the needs of the Section and its membership.

LABOR AND EMPLOYMENT LAW SECTION

NICK ZAINO, CHAIR

PURPOSE

The functions of the Section 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.

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Officers and Committee Chairs

The officers for the 2012-2013 Bar year were Chair, Nick Zaino, Carmody & Torrance LLP, Waterbury; Vice Chair, Nicole A. Bernabo, Robinson & Cole LLP, Hartford; Secretary, Gary E. Phelan, Cohen & Wolf PC, Westport; and Treasurer, Robert B. Mitchell, Mitchell & Sheahan PC, Stratford.

Committee chairs were:

- **Annual Review**—Gabriel J. Jiran, Shipman & Goodwin LLP, Hartford; and Gary E. Phelan, Cohen and Wolf PC, Westport
- **Employment**—Mary E. Kelly, Livingston, Adler, Pulda, Meiklejohn & Kelly PC, Hartford; and David L. Metzger, Metzger Lazarek & Plumb LLC, Hartford
- **Labor**—Peter A. Janus, Siegel, O'Connor, O'Donnell & Beck PC, Hartford; and George E. O'Brien, Jr., Littler Mendelson PC, Hartford
- **Legislative**—Mark J. Sommaruga, Sullivan Schoen Campana & Connon LLC, Hartford
- **Newsletter**—Nick Zaino, Carmody & Torrance LLP, Waterbury
- **Retirement and Welfare Benefits**—David S. Rintoul, Brown, Paindiris & Scott LLP, Glastonbury; and Robert D. Noonan, Robert Noonan & Associates, Middlefield

Meetings (Regular, Joint, and Informal)

The Section will have held (inclusive of the upcoming meetings) eleven (11) regular, joint, and informal meetings during the Bar year, all of which were/are open to the entire membership. The regular meetings were structured to provide for an Executive Committee business meeting, a timely educational presentation, and a social component—generally cocktails and dinner. The meetings commonly alternated between the New Haven and Hartford areas to accommodate members in different geographical areas. The final, annual, meeting of the Section membership will be held during the CBA 2013 Annual Meeting pursuant to the Section's bylaws.

Labor and employment law practitioners were provided important information about developments in the field and the profession through the following presentations at the Section's periodic meetings:

- **July 25, 2012**: Informational meeting with Jonathan Kreisberg, Regional Director of Region 1, National Labor Relations Board (NLRB), Boston, MA, concerning the NLRB's proposal to make Hartford (Region 34) a sub-region of the Boston Office (Region 1).
- **September 20, 2012**: Connecticut legislative update presented by Mark J. Sommaruga, Sullivan Schoen Campana & Connon LLC, Hartford.
- **October 24, 2012**: Presentation by Lewis H. Chimes, Law Offices of Lewis H. Chimes LLC, Stamford;

and Joshua A. Hawks-Ladds, Pullman & Comley LLC, Hartford, on recent Connecticut cases regarding free speech issues in the workplace.

- **November 15, 2012:** Panel discussion on “Effective Techniques for Mediating Labor & Employment Claims” by Elizabeth A. Marcus, Equal Employment Opportunity Commission, Boston, MA; Jane Zirlis, Mediator, East Haddam; Chuck D. Stohler, Carmody & Torrance LLP, Waterbury; and Gregg D. Adler, Livingston Adler Pulda Meiklejohn & Kelly PC, Hartford
- **January 17, 2013:** Presentation on “ERISA Basics for Labor & Employment Attorneys” by David S. Rintoul, Brown, Paindiris & Scott LLP, Glastonbury; and Mark F. Williams, Carmody & Torrance LLP, Waterbury
- **February 21, 2013:** Presentation on “Settlement Agreements: Common Terms and Taxation Issues to Consider” by Robert B. Mitchell, Mitchell & Sheahan PC, Stratford; and Samuel L. Braunstein, Braunstein & Todisco PC, Fairfield.
- **April 11, 2013:** Presentation on “Rights and Obligations of Employers Under USERRA” by John K. Jepson, John K. Jepson LLC, Avon.

Presentations

In addition to the educational presentations at its regular meetings, the Section has offered/will offer additional educational and social opportunities to its members, through the following programs:

- **October 18, 2012:** 39th Annual Fuchs Labor Law Conference, with the Labor & Employment Section as one of the several co-sponsors.
- **March 20, 2013:** A meet and greet with the Young Lawyers Section, providing a networking opportunity for young lawyers interested in employment law to meet seasoned practitioners from the Labor & Employment Section.
- **May 16, 2013:** Opportunity to meet and greet the new CHRO Human Rights Referees at a dinner meeting co-sponsored by the Connecticut Employment Lawyers Association (CELA).

CLE Programs

- **September 12, 2012:** “ERISA Claim Litigation 101”, a half-day seminar that was co-sponsored by the Disability Law Section and the Labor & Employment Law Section’s Employee Benefits Subcommittee. Speakers included David S. Rintoul, Brown, Paindiris & Scott LLP, Glastonbury; and Alexander H. Schwartz, Alexander H. Schwartz Attorney at Law, Southport.
- **January 10, 2013:** “Employee Sick Leave: ADA, CFEP, FMLA and Sick Leave”, a half-day seminar sponsored by the Labor & Employment Law Section and the Employment Law Subcommittee. Speakers included Holly L. Cini, Jackson Lewis LLP, Hartford; Heidi Lane, Connecticut Department of Labor, Hartford; and Gary E. Phelan, Cohen & Wolf PC, Westport.
- **March 28, 2013:** “The Affordable Care Act (ACA) Comes to Connecticut: A Conversation with the Connecticut Health Insurance Exchange,” jointly sponsored by the Insurance Law, Consumer Law and Labor & Employment Law Sections. Speaker for the presentation was Danielle S. Williams, Consumer Outreach and Engagement Manager, Connecticut Health Insurance Exchange, New Haven.
- **June 17, 2013:** The Annual Review committee has organized three substantive programs for the upcoming CBA Annual Meeting, as follows: (1) Developments in Employment Law; (2) Recent Developments at the NLRB; and (3) the Intersection of Social Media and Employment Law.

Publications

In conjunction with the Section's presentation at the CBA Annual Meeting of an annual review of legal developments in labor and employment, the Annual Review Committee produces highly valued extensive written materials that are distributed to attendees in hard copy and made available to Section members electronically. To improve communications with Section members, the information available on the Section's Web site page was enhanced. In addition, Section members received periodic e-mail updates of Section activities and select developments in the field. The periodic Section e-mail updates also served as a conduit for distribution of updates from government agencies, including the NLRB Region 34 newsletter.

Legislative Efforts

The Legislative Committee regularly tracks and reports on legislative developments as they emerge, in addition to providing an annual update of state legislative developments to the membership at a membership meeting and through the newsletter.

Generally, due to the diversity of interests represented in the Section, the Section is unable to develop consensus on an advocacy position relative to any legislation or implementing initiatives. This year was no different with the Section having a divergence of views on the CBA's proposal to join amicus curiae briefs filed on behalf of plaintiffs in the Second Circuit Court of Appeals supporting the view that the Defense of Marriage Act is unconstitutional.

Other Initiatives

In furtherance of the Section's efforts to strengthen relations with more recently minted attorneys in the field, the Section joined with the Young Lawyers Section Labor and Employment Law Committee in sponsoring the fourth annual "Meet and Greet" social in March 2013.

The Labor and Employment Law Section's is seeking to advance law school student interest in labor and employment law, as well as strengthen relations between future practitioners and the Bar through its annual writing competition—for which students of winning submissions may be eligible for a monetary award—of publication of their submission or gratis admission to one or more CLE programs. This is the second year that the Section has sponsored a writing competition.

The 2012-2013 Bar year will conclude with the Section's traditional cocktail reception held after the final substantive labor and employment law program at the 2013 CBA Annual Meeting.

LAW LIBRARIANS SECTION

JONATHAN C. STOCK, CHAIR

PURPOSE

The purpose of this Section is to promote the educational and professional objectives of all practice areas within the Connecticut Bar Association by insuring open access to law-related information—both print and electronic—an open access best secured by strengthening law libraries as institutions charged with the organization and dissemination of that law-related information. Further, the purpose of this Section is to support the mission of the Association by promoting best practices in legal information research and management through education and advocacy.

ANNUAL REPORT

Overview

The previous annual report, our first, portrayed *becoming*. It narrated why—and how—the CBA Law Librarians Section became a reality. This report, by contrast, portrays *being*. It narrates what arose from that reality: network-building, legal information best practices through advocacy and education.

Objectives

Performing mission demands objectives, and one must know where one goes. Our Section is fortunate because two objectives stand clear: passing the Uniform Electronic Legal Material Act (UELMA) and teaching digital research. The former means blending advocacy with education; while the latter means blending education with advocacy.

Advocacy and Education

This Section did not invent UELMA. National organizations guided that impulse: the American Association of Law Libraries (AALL), the Uniform Law Commission (ULC), and the American Bar Association's House of Delegates. While we did not originate UELMA, our advocacy facilitates Connecticut enactment. It began on July 19, 2012 when, at a first meeting, the Section authorized polling all members on whether to adopt UELMA passage as a Section position. One month later, the proposal passed by majority vote. With Section approval obtained, we prepared supportive documentation for a Legislative Policy & Review Committee (LPRC) study. That process culminated on October 4, 2012 when the LPRC unanimously approved the documentation, sending our Section's position to the House of Delegates (HOD). On October 15, 2012, HOD unanimously voted for CBA adoption. The next day, October 16, 2012, our second Section meeting projected linking advocacy and Continuing Legal Education. Plans were finalized to offer jointly with Southern New England Law Librarians Association (SNELLA) a November 27, 2012 UELMA-based program entitled "Official Documents on the Web: Are They for Real?" It went forward with maximum effect in perfect venue at perfect time: the Legislative Office Building post-election, just six weeks prior to the January 2013 opening date. Attracting a large and influential audience, Connecticut Network (CT-N) coverage amplified public impact. The event illuminates an important principle—namely that education builds advocacy by informing citizens *why* legislation is needful. Armed with *why*, citizens become advocates and, in turn, recruit others in common cause.

Supported by the CBA and an informed public, we were well positioned for the 2013 legislative session. Our January 9 Section meeting drafted strategy aimed at coordinating efforts with aligned groups. Senate Bill 235, *An Act Concerning the Adoption of the Electronic Legal Material Act*, emerged soon thereafter. Editorial endorsement of our LLS position in a January 18, 2013 article appearing in the *Connecticut Law Tribune* entitled "Pass the Uniform Electronic Legal Material Act" gave added momentum. So did, as well, a UELMA-based interview entitled "Law Librarians Worry About Digital Files, Say 'Official Versions' Are Harder to Verify," in the same publication six weeks later (in the March 4, 2013 edition). All elements came together at the February 13, 2013 Judiciary Hearing. Four organizations—the State

Library, AALL, SNELLA, and the CBA LLS—advocated for Senate Bill 235 in harmonious voice. That harmony generated opportunity; it advanced UELMA passage hopes. The proposed legislation reached the Senate Calendar on April 2 as File Number 254. An upper chamber vote is, at this writing, hopefully anticipated.

Education and Advocacy

Next discussion demands reversing polarities. Education has, hitherto, aimed at public information policy. It now aims differently—at *proving law library value* in digital times. Going electronic changes format; but information economics stays intact. Vendors and customers remain. One seeks maximum income; the other, minimum expense. All is negotiation and law libraries are key to that negotiation. Their budgets build vendor revenue; but their role is service. That service stands in two parts divided: One involves what can be *commercially bought* and *shared*; the other what can be *freely found* and *shared*. Both services are intertwined; and both, demand *knowing how*. They demand consumer education. Librarians, immersed in finding law, are best placed to provide that education.

Our third Section meeting held January 9, 2013 emphasized planning our second CLE program. Advice being to emphasize economy in legal research, the second service theme was then chosen for the June 17 CBA Annual Meeting: “What can be *freely found* and *shared* online?” Therefore, the Law Librarians Section will offer “Zen and the Art of Googling” at the Annual Meeting. There are dual “saving” objectives: money and time. Collectively, they prove the value of libraries—and librarians—in digital times.

Where We Go Next?

Futurism dominated our fourth meeting on May 14, 2013. Looking forward, 2013-2014 projections include: increasing membership, extending publication, adding Web content; strengthening committees; and building CLE programs for next Bar year. Of these initiatives, the latter—building CLE programs, being thematic—merits sketching now. Generally, our pattern is set with an overarching policy theme in autumn and a legal research offering in spring. The fall offering—with UELMA hopefully being past—addresses different technology: electronic books. One issue is that some major publishers will not even sell e-books to libraries. That impacts everyone since, if these policies stand, life reverts backward three centuries: to where people bought everything they read—or they went without. It nullifies democracy and, worse yet, e-books are *licensed*, not *owned*. What vendors give they can take away; and, absent response, they will. Our legal research component, equally embedded, will likewise address different technology—its content guided by ever-evolving landscapes. Library savvy is the engine that charts those landscapes and, thereby, proves library value.

Vision is set and plans are in place. The Section knows where it must go. One satisfaction will be getting there; the other, the forward progress made in reaching our destination.

LITIGATION SECTION

LEONARD M. ISAAC, CHAIR

PURPOSE

Article I, Section 2 of the bylaws of the Litigation Section of the Connecticut Bar Association, amended by the Board of Governors on September 16, 1996, provides that “the purpose of this section shall be to promote the objects of the Connecticut Bar Association within the field of civil justice and litigation.” The Litigation Section views that directive as requiring regular Executive Committee/Section meetings between September and June designed to promote legal education, monitor and present positions with respect to legislative matters that have the potential to affect the administration or process of an effective and efficient civil justice system, enhance relationships between the bar and the Judiciary, and promote civility and professionalism in the practice of litigation.

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Meetings

The Litigation Section convened both Full Section Meetings and Executive Committee Meetings between September 2012 and June 2013. Minutes from our meetings are generally posted on the Litigation Section’s Web page on the Connecticut Bar Association web site. Meetings were conducted on September 20, 2012; October 25, 2012; December 12, 2012; February 12, 2013; March 13, 2013; April 30, 2013; and May 2013 (date to be selected). Excerpts from or summaries of the meeting minutes are provided below.

September 20, 2012: The Honorable Robert L. Holzberg spoke about effective mediation techniques from the perspective of the mediator. Judge Holzberg gave an informative and entertaining discussion that covered methods that he considered effective and ineffective in the mediation process, what mediators expect from lawyers who engage in the mediation, and the strategies that can be employed to engage in effective mediations that hopefully lead to a settlement. There was a lengthy and informative question-and-answer session where Judge Holzberg and the Section members shared their thoughts and insights about the mediation process.

October 25, 2012: This was a joint meeting of the Real Property Section and the Litigation Section. District 94 State Representative Gary A. Holder-Winfield (D-New Haven) and District 14 State Representative Bill Aman (R-South Windsor) provided an “insider’s look” at the legislative process. The representatives addressed how to most effectively advocate for proposed legislation and how to make sure it is being pursued in a diligent manner. The representatives also expressed some surprise that Connecticut Bar Association sections did not comment on more proposed bills. It was an insightful and humorous presentation, with active questioning by those in attendance.

December 12, 2012: A “working meeting” was held to discuss topics for future meeting presentations and the staffing and purpose of the new and old committees within the Litigation Section. The Litigation Section committees now include: Communications, Pro Bono, Judicial Liaison, Practice Book Rules, Bylaws, Legislative Liaison, and Programming. The Section also discussed the question of when the CBA should take position on legislation, given the divergent views of its members. Bill Chapman, CBA’s Government and Community Relations Administration, gave a brief presentation on his role and how he can help the Litigation Section.

February 12, 2013: The Honorable Anne C. Dranginis, The Honorable Elaine Gordon, and The Honorable Frederick A. Freedman shared their perspective on what they saw and heard on their time on the Bench from members of the Bar. They also offered insightful advice on what members of the Bar should and should not do when appearing before judges of the Superior court. Each of the judges offered helpful and,

often humorous, anecdotes of various proceedings before them during their tenure. There was a lively question and answer session.

March 13, 2013: A “working meeting” was held to discuss Section business, including the status and activities undertaken by the various Committees. Each Committee provided a brief update. The Section also determined that its presentation at the CBA 2013 Annual Meeting would relate to “damages in business litigation.” After a vote, the Section determined that it would officially oppose certification of a “Pretrial Litigation Specialist.” The Section also discussed whether interest earned on positive balances held within CBA accounts should be donated to Interest on Lawyer Trust Accounts (IOLTA). Finally, the Litigation Section discussed when it is appropriate for the Section to take a position on legislation, given the divergent views of our membership. One member suggested that the Section re-examine its mission statement in connection with the bylaws amendment to make its position more clear on this issue.

April 30, 2013: Deputy Chief State's Attorney for Operations Leonard C. Boyle, Assistant U.S. Attorney John H. Durham, and Stanley A. Twardy, Jr. presented on issues that arise in civil actions that may be criminal acts. They discussed practical considerations such as when to involve the authorities, whether your complaint would be better directed to the federal or state authorities, and how to interest investigators, detectives, and prosecutors in your case. The question-and-answer session was lively and the presentation was very informative.

May 2013: The Litigation Section met for one last meeting in the Bar year.

CLE

The Litigation Section will have sponsored two full CLE seminars by the conclusion of the CBA year. The first CLE was held on April 16, 2013 and addressed critical insurance considerations when prosecuting or defending civil actions. The Litigation Section will be presenting another CLE program at the Annual Meeting on damages and valuation in business litigation.

Publications

Publications were posted on the Litigation Web page throughout the year, primarily materials presented at our meetings and CLE programs. These are in-depth materials that can be put to immediate use by our members.

Legislative Efforts

The Litigation Section did not take any Section positions on pending litigation. We have discussed refining our mission statement to address more specifically when we will take Section positions given that our membership includes practitioners who work on both sides of many issues.

PARALEGALS SECTION

JANICE FAVREAU, CO-CHAIR AND REGINA GRAZIANI, CO-CHAIR

PURPOSE

The purpose of the Paralegals Section is to disseminate information to attorneys regarding the paralegal profession; to publicize issues of importance regarding this profession; to encourage attorneys to practice with qualified paralegals in order to lower costs; and to improve the quality of service to clients.

ANNUAL REPORT

The 2012-2013 Bar year was the Paralegals Section's first full year as a Section. At the beginning of the Bar year, the Section ratified its first Bylaws based on the CBA's Model Bylaws. An Executive Committee was appointed and officers were elected.

Fundraising

On October 24, 2012, the Paralegals Section sponsored a successful fundraiser for the second year of the Innocence Project Fund. The Innocence Project Fund provides funds to help wrongfully imprisoned individuals who are exonerated to start their new lives after prison until they receive compensation from the State of Connecticut.

Meetings/CLEs

The Paralegals Section, in association with the Small Firm Practice Management Section, offered a half-day CLE program on March 7, 2013 entitled "Take Your Practice to the Next Level: Tips & Tricks for Attorneys and Paralegals Alike."

With the exception of one meeting, the Section held monthly meetings at the Connecticut Bar Association Law Center in New Britain. The Section's monthly meetings also provide continuing legal education credits for those paralegals seeking to maintain their National Federation of Paralegal Association certification requirements (otherwise referred to as PACE registered paralegals). A number of important legal topics were addressed throughout the year that included: Social Security disability claims, job search tips, wills and probate, criminal law issues, pro bono opportunities, and veteran's issues.

Legislation

The Section's legislative liaison, Sara Psimer, has provided the Section with regular updates of important legislation that pertains to the legal profession and, in particular, the paralegal profession.

PLANNING AND ZONING SECTION

MATHEW RANELLI, 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

Seminars

On March 16, 2013, our Section hosted an all-day seminar at Wesleyan University that was entitled “Connecticut Land Use Law for Municipal Land Use Agencies, Boards and Commissions.” More than 225 municipal officials attended the event.

Monthly Meetings

This Section has continued to have monthly meetings in New Haven. We have addressed a number of important topics such as the 2013-2018 draft State Plan of Conservation and Development; the newly established statewide land use docket (a joint meeting with the Environmental Law Section); land use consideration and coastal preservation issues related to climate change, rising sea levels and significant storm events; the recent *Piquet v. Town of Chester* case; the recent *Machoski v. Inland Wetlands Commission* case; the American With Disabilities Act (ADA), fair housing choice, and the Religious Land Use and Institutionalized Persons Act (RLUIPA).

We have been pleased to have as speakers the Hon. Marshall K. Berger, Jr., Hartford Judicial Court District; State Senators Steve Cassano and Len Fasano; State Representative James M. Albis; Danial D. Morley of the Office of Policy and Management, Hartford; Carloyn Ikari, Assistant U.S. Attorney at Department of Justice, Hartford; and David C. Neslon, Assistant U.S. Attorney at the Department of Justice, Hartford.

Legislation

Our legislative liaisons, Dori Famiglietti, Kahan, Kerensky & Capossela LLP, Vernon; and Mario F. Coppola, Berchem Moses & Devlin PC, Westport; have provided us with regular updates of important legislation. The Section voted to propose legislation to amend section 8-13a of the General Statutes. That proposal was passed by the Senate and House as Public Act 13-9.

Practice Book Rules

We have participated in a judicial department working group regarding the amendment of Section 14-6, 7, and 7A to the *Connecticut Practice Book* similar to the Section’s passed participation regarding amendments to Section 14-7B which went into effect in January 1, 2012. We worked with members of the Judicial Branch, including the Hon. Marshall K. Berger, Jr., Connecticut Superior Court; Hon. Henry S. Cohn, Connecticut Superior Court; and Alice H. Mastrony, State of Connecticut Judicial Branch, Hartford District Region, regarding the Unlawful Activities Prevention Act (UAPA) appeal.

From the Chair

In my first year as chair of this Section, I am grateful for the active involvement and assistances of several of my predecessors and for a very strong and collegial membership. The commitment of so many members to attend our regular monthly meetings enhances the presentations of our speakers. In addition, our members have contributed in other ways outside of the meetings to reach out to municipal officials and agency staff to increase the dialogue regarding current land use challenges faced by our clients. In the coming year, I hope to build on these efforts and to attract speakers on emerging topics such as on-site clean energy, state demographic changes and transportation.

REAL PROPERTY SECTION

MITCHELL S. JAFFE, 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 discussions of issues related to conveyancing, mortgages, land use, title insurance and other matters of interest to the real estate Bar.

ANNUAL REPORT

Officers:

Mitchell S. Jaffe, Chair, Brenner Saltzman & Wallman LLP, New Haven
Elton B. Harvey III, Vice Chair, Ballie & Hershman PC, Cheshire
Matthew J. Cholewa, Treasurer, Stewart Title Guarantee Company, Wethersfield
Brian S. Cantor, Secretary, Law Offices of Brian S. Cantor, Fairfield

Meetings

The Real Property Section, one of the largest and most active Sections in the Connecticut Bar Association, have presented the following programs at its monthly meetings that commenced in September 2012 through May 2013 to provide professional development and enrichment to its members:

- “An Insider's Look at the Legislative Process”
- “Overview of the Current Market for Commercial Office Space on a Local and National Level”
- “Post Storm Sandy Permitting Process and Challenges Regarding Storm-Damage Repair”
- “‘Agent Vetting’ by Lender Service Providers”
- “Goals, Programs and Practices of Habitat for Humanity”
- “Primer on Insurance Issues in Commercial Transactions”
- “Due Diligence Regarding the Review of Variances Recorded on the Land Records”
- “Primer on Environmental Considerations and Issues in Real Estate Transactions”

In addition, a presentation by a Massachusetts attorney was held regarding a case brought by the Massachusetts Real Estate Bar Association involving the unauthorized practice of law by settlement service providers.

Legislation

The Legislative Committee made up of Matthew J. Cholewa, Carolyn J. Cavolo and Edward M. Rosenblatt monitored legislation of interest to real estate attorneys and led discussions and evaluations of proposed legislation. The Section sponsored House Bill 6512, entitled “An Act Concerning Maintenance of Private Easements and Rights-of-Way.” The Bill was proposed in response to a provision in the *Selling Guide: Fannie Mae Single Family* that has made it difficult to finance properties located on private roads in the absence of a written maintenance agreement. The Section has also taken the following positions on legislative matters:

- Supporting legislation sponsored by the Connecticut Association of Realtors that would prohibit private transfer fees
- Supporting enhanced criminal penalties for the Unauthorized Practice of Law
- Supporting an amendment to C.G.S. § 1-217 to minimize the potential adverse affect of a ruling on a Freedom of Information case that could lead to nondisclosure of party and address information on the land records
- Opposing legislation that would allow non-attorneys to be title agents
- Opposing legislation that would eliminate witness requirements to a conveyance of land

- Opposing legislation that would require all assignment of mortgage debts to be recorded
- Opposing a repeal of C.G.S. § 49-17, allowing a note holder to foreclose a mortgage
- Opposing a bill that would have imposed a \$100-per-day lien if a conveyance is recorded more than 30 days after the date of conveyance

The Section also submitted comments to the Consumer Financial Protection Bureau in response to proposed rulemaking entitled “Integrated Mortgage Disclosures under the Real Estate Settlement Procedures Act.” In addition, without any official position taken by the Section, I opposed—as chair of the Section—a proposed Bill 1082 sponsored by the Connecticut Department of Energy & Environmental Protection (DEEP) allowing for restrictions recorded by property owners on the use/activity of any land without the need for obtaining subordination agreements from prior mortgagees, easement holders, lessees, and other parties with prior recorded rights.

A subcommittee, consisting of Denis R. Caron, as chair; and Stephen Maggiola, Regina Flaherty, and myself, was appointed for the purpose of investigating the status of the publication of the *Standards of Title* by the CBA. The committee provided recommendations to the CBA regarding the reprint and format of said Standards; notice of the publication of new standards, as well as the composition of the current Standards (including all applicable updated chapters); and a recommended development of an index and table of cases and statutes for the Standards.

The section will make a \$1,500 contribution to the prize fund that it had established at the University of Connecticut School of Law. The section is also authorized to contribute a \$1,500 prize to a law student at Quinnipiac University Law School.

Under the leadership of Edward M. Rosenblatt, the Residential Real Property Certification Program achieved a major milestone this year as the CBA House of Delegates voted to become the program's certifying authority. Since that vote in June 2012, both the Standing Committee and Examining Committee have been filled and are now taking on the task of developing a final draft of the examination and completing the application to the Screening Committee.

The Section has established and is supporting the Model Residential Contract Committee—co-chaired by James M. Nugent and Eugene A. Marconi, whose mission is to develop a model standard residential purchase and sale agreement for the entire State. The Model Residential Contract Sub-Committee has met several times over the last 12 months. The meetings include sub-committee meetings and meetings between individual members of the sub-committee with interested groups such as County Bar Associations and Realtor Associations statewide. In March, the sub-committee determined that it had received sufficient input from groups and individuals to go to a final draft of the proposed Contract for presentation to the members of the Real Property Section in early May 2013.

The section will be presenting two programs at the CBA Annual Meeting on June 17, 2013, including (1) the annual review of case law and legislation, as well as a program on current developments in condominium law and (2) the updated *Common Interest Ownership Manual*.

SMALL FIRM PRACTICE MANAGEMENT SECTION

DOUGLAS S. BROWN, CHAIR

PURPOSE

The purpose of this Section shall be to enhance the practice of lawyers engaged in the solo and small firm practice of law, through communication, study, collection, development, and dissemination of material on subjects of interest and concern to the solo and small firm practitioner, in cooperation with other Sections of the Connecticut Bar Association, gearing its activities to basic principles and procedures and utilizing publications, meetings, seminars, committees, and other suitable media for this end, thereby promoting the objectives or goals of the Connecticut Bar Association.

ANNUAL REPORT

This report covers the period July 1, 2012 through June 30, 2013.

Officers:

Douglas S. Brown, Chair, SucessTrackESQ, Cheshire
Anthony R. Minchella, Vice-Chair, Minchella & Associates LLC, New Haven
Colleen T. Joyce, Treasurer, Law Offices of Colleen T. Joyce LLC, Redding
Thea A. Martin, Legislative Liaison, Law Office of Thea Martin, Branford

Meetings

The Section held its monthly meetings, highlights including:

- **August:** Executive Committee organizational meetings via teleconference.
- **October:** “Building your Practice: Practical Tips to Get Your Message Across Quickly and Concisely E-Discovery for the Small Firm” presented by Anthony R. Minchella, and Douglas S. Brown
- **January:** “Navigating in the Cloud – Data Storage (The Ethical and Practical Considerations of Cloud Computing for Lawyers),” a joint program with the Technology Law Section featuring Mark A. Dubois and N. Kane Bennett
- **March:** “Stories from the Trenches: How I Built My Small Firm and Had Fun Doing It” featuring Richard E. Hayber
- **May:** “Unleashing the Power of PDFs in Law Practice”

Other Programs and Events

The Section is presenting a program at the CBA’s Annual Meeting on “Tech Tips from the Trenches”, the results of a survey of CBA members on productivity and technology tips they are using to run a more profitable and productive practice.

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

January 22, 2013, February 22, 2013, March 27, 2013, April 8, 2013, April 22, 2013, May 6, 2013

CLE

CLE title: "Legal Challenges in Connecticut Collegiate Athletic Departments"

The Connecticut Bar Association Sports and Entertainment Committee will sponsor a panel discussion at the 2013 CBA Annual Meeting addressing the issues that face Connecticut athletic departments that engage in major collegiate athletics. In recent years, collegiate sports have created very high revenues for universities and athletic conferences. With the increase in revenue, universities and athletic conferences are faced with making decisions that result legal disputes.

The following are the panelists who are scheduled to attend the CLE seminar:

- **Andrew Zimbalist** has been in the Economics Department at Smith College since 1974 and a member of the Five College Graduate Faculty. Zimbalist has been a visiting professor at Hamburg University (2011); Doshisha University in Kyoto Japan (2007); the University of Geneva (2003); Doshisha University in Kyoto, Japan (1985); and a visiting research fellow at Harvard University (1980). He received his B.A. from the University of Wisconsin, Madison in 1969 and his M.A. and Ph.D. from Harvard University in 1972 and 1974, respectively.
- **Jonathan B. Orleans** is a business litigator with more than 25 years of experience handling a broad range of cases, particularly employment litigation. Orleans represents businesses and individuals in disputes arising out of non-competition and non-solicitation agreements, employment contracts, and other commercial agreements. He also handles cases arising under federal and state antidiscrimination statutes, ERISA, the Fair Labor Standards Act, the Connecticut Uniform Trade Secrets Act, and the Connecticut Unfair Trade Practices Act, and advises businesses on compliance with laws and regulations concerning employment. Orleans tries cases in both the federal and state courts and practices before state and federal administrative agencies.
- **Lewis Kurlantzick** is a Zephaniah Swift Professor of Law at the University of Connecticut School of Law, Hartford. A 1965 graduate of Wesleyan University, Kurlantzick received his law degree in 1968 from Harvard where he was a member of the Board of Editors of *The Harvard Law Review*. He teaches Contracts, Copyright, Sports and the Law, and Arbitration. Kurlantzick writes on copyright and sports law issues for both popular and legal newspapers and journals. His most recent books are *Legal Issues in Professional Basketball* (2011), *Legal Issues in Professional Baseball* (2005), and *Copyright Duration: Duration, Term Extension, The European Union, and the Making of Copyright Policy* (1999). Kurlantzick sits regularly as an arbitrator for the Financial Industry Regulatory Authority (FINRA), and he has served

as a Special Master for the United States District Court in Connecticut. He is a member of the American Law Institute, the American Arbitration Association, and the American Law and Economics Association.

- **Paul V. Kelly** is a Partner in the Boston office of Jackson Lewis LLP. Kelly has been a practicing trial lawyer for more than 30 years, with extensive experience in white collar criminal defense, internal investigations, complex civil litigation, and crisis management. He concentrates his practice in the above areas, and is also a member of the firm's Collegiate and Professional Sports Industry Group.
- **Daniel B. Fitzgerald** is an associate of Brody Wilkinson PC and a member of the firm's Business Group. His practice is focused in the areas of business law, employment law, administrative law, sports law, trademark law, and commercial disputes. Fitzgerald's business practice includes reviewing, drafting, and negotiating contracts; advising on trademark applications and protection issues; and managing employment matters for a diverse base of clients. He frequently provides counsel to clients concerning legal issues that arise in amateur, collegiate, and professional athletics. Fitzgerald serves as general counsel to a minor league hockey team in Connecticut and frequently assists student-athletes and their families with eligibility and transfer matters involving the Connecticut Interscholastic Athletic Conference (CIAC) and National Collegiate Athletic Association (NCAA). In addition, he provides trademark counsel to the charitable foundation of a professional athlete and often represents health and fitness clubs in connection with liability issues.
- **Deborah Chin** became the University of New Haven's fourth Director of Athletics in 1993; currently overseeing a department that sponsors 16 NCAA Division II varsity sports. Chin was elected to the prestigious position of Chair for the NCAA's Division II Management Council for 2008 and was promoted by the University of New Haven to Associate Vice President, Director of Athletics and Recreation, in 2010. A member of the University of New Haven staff since 1975, Chin began her career at the university as Coordinator of Women's Athletics. She was responsible for starting the women's intercollegiate athletic program at UNH—coaching volleyball, tennis, basketball and softball in her early years. Chin eventually surrendered all head coaching responsibilities (except for volleyball) when she was promoted to Associate Director of Athletics in 1979.
- **Deborah P. Corum** is the Senior Associate Director of Athletics/Sport Administration and Senior Woman Administrator at the University of Connecticut. Corum has more than 20 years of experience in intercollegiate athletics. She had previously served as the Associate Commissioner for Sports Administration for the Southeastern Conference (SEC) since 2003, before being promoted to her current position at UConn in 2012. In her previous role at the SEC, Corum assisted with the transition of adding new members into the conference while serving as a liaison with coaches in developing schedules, interpreting rules of competition, and conducting coaches' meetings. She was also the liaison to the Senior Woman Administrators and served as the staff contact with the SEC Sports Medicine Directors for five years. From 2000 to 2003, Corum was the Associate Commissioner of Championships at the SEC and had oversight for 16 of the league's sports. Included in her responsibilities were developing promotional plans, coordinating television schedules, and managing event staff. Corum has a wide variety of on-campus experience, as well. She was the Associate/Assistant Athletic Director for Olympic Sports at Louisiana State University (LSU) from 1996-2000, where she supervised 17 sports, and was also LSU's Senior Woman Administrator. Prior to her LSU experience, Corum was the Assistant Athletic Director of Intercollegiate Sports at Stanford University in California from 1994-96 and had oversight over 12 sports. She also was the Tournament Director for NCAA and conference events that were held on Stanford University's campus.

TAX SECTION

KAREN L. CLUTE, CHAIR

PURPOSE

As per the Tax Section's Bylaws, the purpose of the Section is to promote the objectives of the Connecticut Bar Association within the field of taxation; to further the continuing legal education of members of the Section and the Association; to serve as a resource concerning federal and state tax laws to Section members, the General Assembly and the Association; and to serve in a liaison capacity on behalf of the Association with the Internal Revenue Service and Connecticut Department of Revenue Services.

ANNUAL REPORT

Meetings

The Executive Committee of the Section scheduled five meetings, four of which were open to all members of the Section. One meeting was a joint meeting with Technology Section.

- The October 3, 2012 meeting of the Executive Committee focused on plans for the coming program year, including a discussion of legislative and regulatory priorities and Section membership and growth. The Executive Committee also agreed on a lineup of 16 subcommittees.
- The November 15, 2012 meeting was a joint meeting of the Tax Section and the Technology Section. In addition to Tax Section subcommittee reports, Monique Ferraro from the Technology Section—gave a special presentation on Data Breach and Security for Lawyers.
- The January 16, 2013 meeting was an open meeting of the Executive Committee to which all members of the Section were invited. Bill Chapman, CBA Government & Community Relations, moderated a discussion with our invited guests, State Representative Roland J. Lemar and State Senator Ron Kane. In addition, Executive Committee members reported on routine business and sub-committee matters.
- The March 20, 2013 meeting was also an open meeting of the Executive Committee to which all members of the Section were invited. In addition to routine business and sub-committee reports, the meeting featured a special presentation by Tax Section member Luke T. Tashjian on a sophisticated estate planning and business succession technique involving beneficiary owned trust under IRC § 678(a)(2).
- The final regular meeting of the 2012-2013 program year occurred on May 14, 2013. It was an open meeting of the Executive Committee. In addition to routine business and sub-committee reports, there was a special presentation by Tax Section members Daniel L. Gottfried and Paul L. Behling on international tax and compliance issues that can arise involving cross-border families, businesses, and investments.

CLE

On March 15, 2013, the Tax Section co-sponsored a CLE program with the Estate & Probate Section on “Dealing with a Decedent's Tax Fraud” at the CBA Law Center. Featured speakers included Alfred R. Casella, Murtha Cullina LLP, Hartford; Richard G. Convicer, Convicer Percy & Green LLP, Glastonbury; Eric L. Green, Convicer Percy & Green LLP, Glastonbury; and Laura E. Pisarello, Convicer Percy & Green LLP, Glastonbury.

The Tax Section will be leading a CLE program at the CBA 2013 Annual Meeting concerning the federal tax law changes brought about by the American Taxpayer Relief Act of 2012.

During the 2012-2013 program year, members of the Tax Section participated in two liaison dinner meetings with representatives the IRS and two liaison dinner meetings with representatives from the Dispute Resolution Section. These meeting were held in conjunction with the Connecticut Society of CPAs, Rocky Hill.

Other Programs and Events

Members of the Tax Section were very involved in the Second Annual Federal Tax Institute of New England (FTINE), which is a project of the CBA and is chaired by Frank S. Berall. Of note, the chair of the Tax Section—Karen L. Chute—is an ex officio second vice-chair of the FTINE. The program was held on September 28, 2012 and speakers included Karen L. Chute and Susan R. Nevas. Tax Section member Richard G. Convicer was given an award at the conference luncheon honoring him for his many years of exemplary advocacy on behalf of taxpayers and his work in trying to improve our tax laws and administrative processes.

The Tax Section is a member of the National Association of State Bar Tax Sections (NASBTS). As chair of the Tax Section, I attended the annual meeting of NASBTS in San Francisco on October 26-27, 2012.

WORKERS' COMPENSATION SECTION

DAVID J. WEIL, CHAIR

PURPOSE

The Workers' Compensation Section is one of the most active parts of the Connecticut Bar Association. The Section has a relatively equal balance of attorneys representing claimants and attorneys representing respondents. In addition to the Section members, the Section has an Executive Committee consisting of 35 members. The purpose of the Workers' Compensation Section and 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 is the adjudicative body for the 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 the 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

During the past year, I have been greatly assisted by my fellow officers: Lawrence Morizio, Vice Chair; Colette Griffin, Treasurer; and Secretary Joseph Passaretti.

This past year began at the 2012 Annual Meeting at which Workers' Compensation Commission Chairman John Mastropietro spoke about the state of the Workers' Compensation Commission, Attorney Jack Clarkson provided his annual comprehensive review of appellate decisions, and Attorney Lucas Strunk provided an overview of legislative developments during the 2011–2012 legislative session. Finally, Superior Court Judge Robert Holzberg, Workers' Compensation Commissioner Daniel Dilzer, and Attorney Edward Dodd addressed the Section with an excellent presentation regarding large-scale disasters and the Workers' Compensation Act.

Lawrence Morizio, as chair of the Continuing Legal Education Committee—and with assistance of his entire committee—continues to sponsor informative and well-attended seminars. A fall seminar, held on October 26, 2012 in New Haven, addressed “Courtroom Medicine”. The speakers at the seminar were Dr. John Aversa, Dr. John Beiner, Dr. Joseph Gagliardi, Ms. Diane Griffin, Dr. Jeffrey Klauser, Dr. Kenneth Kramer, Dr. Tassos Kyriakides, Dr. John Marino, Dr. Philip Minotti, Dr. Rakesh Patel, and Chairman John Mastropietro.

A spring CLE seminar—“Understanding the Workers' Compensation Appeals Process”—was held on May 17, 2013 at the CBA offices in New Britain. The speakers included Attorney Jason Dodge and Attorney Andrew Morrissey.

Additionally, in March 2013, Kevin Coombes and Jeremy Brown ran a very successful “Exotic Seminar” in Stowe, Vermont at the Stowe Mountain Lodge. The seminar was well attended and included presentations by Chairman John Mastropietro, Commissioner Randy Cohen, Dr. Eric Grahling, Dr. David Forshaw, Ms. Dawn Getchell, Attorney Angelo Sevarino, and Attorney Brian Prindle.

At our fall meeting on October 17, 2012, the Section had an opportunity to listen to an introductory speech from our newest commissioner, Stephen Morelli. We also honored our seven new Workers' Compensation Specialists: Eric Polinsky, Eric Santoro, Colette Griffin, Maribeth McGloin, John Cantarella, Brian Mongelluzzo, and Deborah DelBarba. These seven individuals were only able to become specialists because of the excellent work and time-consuming efforts of the Examining Committee, which was led by Diane Duhamel and Michael Kerin. A new Workers' Compensation Specialists Examination is given approximately every two years.

At the Section's April 3, 2013 spring meeting, Robb Wright of Wright 2 Work LLC gave an excellent presentation regarding the Functional Capacity Evaluation and the hurdles in getting an injured worker back to work. We also held four Executive Committee meetings that were well attended and productive.

The *Compensation Quarterly*—under the direction of editor-in-chief, Frank Costello—continued to be an excellent source of information and discussion regarding workers’ compensation law, as well as one of the finest publications from any Section of the CBA. The publication includes topics that range from in-depth legal articles to medical issues discussed by respected physicians throughout Connecticut and case analysis from the workers’ compensation legal community.

Attorney Cori-Lynn Webber continued to update our Web page, which includes indexed past editions of the *Compensation Quarterly* on the CBA Web site.

On September 11, 2012, Rick Aiken and his Golf Committee ran the very successful 14th Annual Verrilli/Belkin Golf Tournament at the Shuttle Meadow Country Club. Once again, the weather was beautiful and everyone had a wonderful time. The event included 99 golfers and 18 additional participants at the reception and dinner. There were also 52 sponsors. All of the net proceeds from the tournament (in excess of \$10,000) were donated to Foodshare and the Connecticut Food Bank.

In 2013, we are celebrating and honoring the 100th anniversary of the passage of the Workers’ Compensation Act in Connecticut. In addition to numerous articles and commemorations of this event, the Workers’ Compensation Commission will hold an all-day symposium on October 3, 2013 that will include 16 one-hour seminars, a video history, and speakers at a luncheon to be held at the Crowne Plaza in Cromwell, Connecticut. The net proceeds from this event will be donated to the Disabled Workers’ Scholarship Fund. The Workers’ Compensation Section has been directly involved in the planning of this event.

In conclusion, we look forward to another year of enthusiastic participation in the Workers’ Compensation Section to be led by our new Chairman, Lawrence Morizio, and Vice Chairman, Joseph Passaretti.

YOUNG LAWYERS SECTION

JONATHAN M. SHAPIRO, CHAIR

PURPOSE

The Young Lawyers Section (YLS) is the largest section within the Connecticut Bar Association (CBA) and is comprised of more than 2,000 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 YLS's mission is to further the CBA's goals and purposes and, thereby, to serve the community and the legal profession; to represent members in the CBA, and to represent the CBA 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 CBA, 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

I. Governance and Executive Committee Meetings

The 2012-2013 YLS officers are:

Chair: Jonathan M. Shapiro, Shapiro Law Offices LLC

Chair-elect: Chris R. Nelson, Law Offices of Chris Nelson LLC

Vice Chair: Emily Graner Sexton, Chief State's Attorney Office

Treasurer: Tushar G. Shah, Fazzano & Tomasiewicz LLC

Secretary: Matthew S. Necci, Halloran & Sage LLP

The activities of the YLS are governed by its Executive Committee, which is comprised of approximately 75 lawyers representing a variety of practice areas throughout the State of Connecticut. These lawyers are selected each spring through an open and competitive application process. To remain in good standing, Executive Committee members are required to: (1) attend two thirds of designated Executive Committee and Section meetings; (2) participate in one of the Section's pro bono or public service opportunities; and (3) take an active role in planning the Section's programming, with each member responsible for planning—individually or in collaboration—with other members of the group two programs to be held during the Bar year. Such programs are in the form of continuing legal education (CLE) seminars, practice area dinners, networking events, or other sectionwide programs.

The Executive Committee met for the first time at the Annual Executive Committee Retreat, which was held June 22-23, 2012 at the Mystic Marriott in Mystic, CT. At the day-and-a-half-long event, extensive seminars and breakout sessions were held in order to introduce Executive Committee members to each other; orient them to CBA and YLS policies and practices; and to develop much of the Bar year's programming to maximize the Section's productivity during the remainder of the Bar year from September 2012 through June 2013. Connecticut Superior Court Judge Robert L. Holzberg served as the keynote speaker at the annual leadership luncheon. Judge Holzberg, with characteristic humor, regaled the audience with lessons from his life as a young lawyer and judge. At the luncheon, Immediate Past Chair Jonathan Weiner also presented the annual "Stars of the Year," "Rookie of the Year" and "Chair's Award" honors to several Executive Committee members in recognition of their outstanding efforts in making the 2011-2012 Bar year a success.

Starting in September 2012, the Executive Committee held monthly meetings across the state, with most being held in New Haven and at the CBA Law Center in New Britain. As in previous years, some of the Executive Committee meetings also were held in conjunction with other Section meetings or special events that are described below in part II of this report.

II. Section Meetings and Special Events

A. Diversity Award Dinner: October 8, 2012

The eighth annual YLS Diversity Award Dinner was held on October 8, 2012 at Amarante's Sea Cliff in New Haven. This year's honoree was Superior Court Judge Maureen Murphy for her tireless efforts in promoting civil rights for the LGBT community. Judge Murphy also received an official citation from Governor Dannel Malloy commending her for her many contributions and notable strides made in the area of civil rights and family law in Connecticut. YLS Diversity Directors, Susan Kirkeby and Julia Lentini Marquis, organized this inspiring event.

B. Pro Bono Fair/New Admittee Welcome Reception: November 14, 2012

The annual Pro Bono Fair was especially important this year because of our focus on promoting the importance of pro bono legal service. This Bar year, the fair—which was held at Yale Law School on November 14, 2012—was called the “Pro Bono Initiative: A New Take” and was organized in conjunction with the Judicial Branch and the Connecticut Bar Foundation. The fair featured welcoming remarks from Chief Justice Chase T. Rogers and Superior Court Judge William H. Bright, and included a screening of the film *Crime After Crime*, which documented the pro bono efforts of two young lawyers to free a young domestic violence victim who had been wrongfully incarcerated for decades after killing her abuser. The fair also permitted approximately 20 legal services organizations to meet with young lawyers to discuss opportunities for pro bono service. These organizations included the Connecticut Veterans Legal Center, Hartford HELP, Pro Bono Partnership, Lawyers without Borders, Connecticut Legal Services, Inc., New Haven Legal Assistance Association, Inc., Greater Hartford Legal Aid, Statewide Legal Services, Lawyers for Children America, and the Center for Children's Advocacy. This event was so successful that the YLS is gaining national recognition from the American Bar Association (ABA), with other organizations around the country now trying to replicate our efforts. Pro Bono and Public Service Director Sylvia Rutkowska, along with Vice Chair Emily Graner Sexton, organized this year's Pro Bono Fair.

C. Billings Forge Holiday Party and Drive: December 2012

For the third consecutive year, 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 Connecticut). The law firm Stratton Faxon Trial Lawyers LLC again served as the event's lead sponsor. The party included food, games, toys, crafts, and gifts and was again a great success with the help of nearly 20 lawyers and numerous CBA staff members who volunteered their time and effort in advance and on the day of the event. More than 50 children—ages four through 13—participated in the event. YLS members and CBA staff also organized a supply drive to collect school supplies and cold-weather clothing that were distributed by Santa to the guests at the party. Later that evening, the YLS held its annual members' holiday party next door at the Firebox Restaurant, which serves as a funding source for Billings Forge's community initiatives. Senior Director Sara Goldfarb and Diversity Director Julia Lentini Marquis served as co-chairs of the holiday event.

D. Distinguished Speaker Award Luncheon: May 6, 2013

The seventh annual Distinguished Speaker Award Luncheon was held on May 6, 2013 at Amarante's Sea Cliff in New Haven. This event historically has featured inspirational speakers of national prominence, including United States Supreme Court Justice Antonin Scalia; retired Chief Justice (retired) of the Massachusetts Supreme Judicial Court Margaret H. Marshall; former United States Attorney General Michael B. Mukasey; and former Solicitor General of the United States Kenneth Starr. This year, the Section was pleased to honor as its keynote speaker former Acting Solicitor General of the United States, Neal K. Katyal, for his remarkable achievements early in his legal career. General Katyal was introduced by his mentor, Yale Law School Professor Akhil Reed Amar. As in the past, the Luncheon was widely supported by the leaders of the Connecticut legal profession and the federal and state judiciary. In total, nearly 70 people attended the event that was co-chaired by Senior Director Sara Goldfarb and Diversity Director Julia Lentini Marquis.

III. Continuing Legal Education (CLE) Programming

This Bar year, the YLS again organized numerous CLE programs that garnered rave reviews and covered a wide variety of topics and skill levels. All of the CLE programs will be explained in greater detail in part XI of this report, which encompasses the activities of the YLS substantive law committees. CLE Directors Emily Gianquinto and Aidan Welsh, along with CBA CLE and Certification Administrator Amanda Evans did an excellent job in organizing our CLE programs.

IV. Diversity Programming

In addition to the aforementioned eighth annual YLS Diversity Award Dinner, the YLS co-hosted a Kickoff Diversity Networking Event at Rio Bar and Grill in Hartford on September 6, 2012. Following the networking portion of the event, attendees were invited to salsa lessons and dancing at Downtown Yoga in Hartford. This networking event was co-hosted by the affinity bar associations, the George Crawford Black Bar Association, the Connecticut Hispanic Bar Association, the South Asian Bar Association of Connecticut, and the Connecticut Asian-Pacific American Bar Association.

On March 21, 2013, the YLS and the affinity bar associations followed up on the success of the fall Hartford networking event and co-hosted another Diversity Networking Event at Thali in New Haven. Both networking events were very well-attended and presented important opportunities for the members of the YLS and the affinity bar associations to mingle and build relationships that the Section hopes to continue to foster in years to come.

These events were organized by Diversity Directors Susan Kirkeby and Julia Lentini-Marquis, with support from our affinity bar association liaisons—specifically Courtney Chaplin (George W. Crawford Black Bar Association), Laura Pisarello (Connecticut Hispanic Bar Association), Scott Sebastian (Connecticut Asian-Pacific American Bar Association); and Parul Patel (Connecticut South Asian Bar Association). The affinity bar associations also co-sponsored the “Meet the Branches” Networking Event organized by the YLS' Administrative Law & Government and Professional Responsibility Committees, described in greater detail in part XI.1 of this report, and will co-sponsor another networking event planned for Fairfield County in June, 2013.

V. Pro Bono, Public Service, and Community Outreach Programs

A. “Million Dollar Pro Bono Service Campaign”

The signature initiative for the YLS this Bar year was demonstrating our commitment to the importance of pro bono legal services by coordinating a drive to raise \$1 million worth of pro bono service to be performed from March 2013 through May 2013. The initiative was called the “Million Dollar Pro Bono Service Campaign” and garnered great publicity in numerous forums throughout Connecticut, including recognition by Chief Justice Chase T. Rogers at the White House Forum on Increasing Access to Justice; the Judicial Branch Pro Bono Committee; and coverage in the *Connecticut Law Tribune*. The campaign utilized social media and other marketing devices to reach out to lawyers across the state of Connecticut—including large firms, small firms, corporate counsel, and solo practitioners—and connected them to numerous legal services organizations that offer various opportunities to perform pro bono services. The YLS ultimately raised more than 4200 donated hours of pro bono service. The YLS will recognize those law firms and individuals with the highest level of participation and hours performed at the CBA’s 2013 Annual Meeting.

With the support of the Judicial Branch and more than 20 legal services organizations, the YLS kicked off the Million Dollar Pro Bono Service Campaign at the annual Pro Bono Fair, described in part II.B of this report that was held on November 14, 2012 at the Yale Law School.

Pro Bono and Public Service Director Sylvia Rutkowska and Vice Chair Emily Graner Sexton did a terrific job organizing and promoting this year's pro bono initiatives.

B. “Lawyers in the Classroom; Kids in the Courtroom” Initiative

Under the leadership of Civics Education Director Daniel Lindenberg, the YLS followed up on last year's focus on civics education by continuing and expanding the “Lawyers in the Classroom; Kids in the Courtroom” initiative.

1. **Mock Trial Programs** The first part of the “Lawyers in the Classroom; Kids in the Courtroom” initiative was to continue and increase the participation of YLS members in the statewide high school and middle school mock trial tournaments organized by Civics First. In addition to continuing our long-standing sponsorship of the New Haven region of the high school competition, which includes the recruitment of volunteer attorneys to serve as judges, the YLS again organized a hands-on judges training, which was held during the fall at the CBA Law Center.
2. **Classroom Visits** Again, the second year-long portion of the “Lawyers in the Classroom; Kids in the Courtroom” initiative was to arrange visits by volunteer attorneys to elementary school classrooms across the state in order to teach our youngest citizens about the importance of the rule of law and the legal process in our society—perhaps even inspiring some of the students to consider careers in the law. The state Judicial Branch again contributed to this project by providing copies of its publication, *Laws and the Courts: A Workbook for Upper Elementary Students* for our volunteer attorneys to use in planning and conducting their lessons. Attorney volunteers visited the following schools around the state, generally reaching 50-100 students per visit—except for the Tolland Middle School, where attorneys spoke to more than 250 students—Ivy Drive School (Bristol), Parkville Community School (Hartford), Hawley School (Newtown), Lake Street School (Vernon), B.W. Tinker School (Waterbury), UHart Magnet School (West Hartford), and Webster Hill School (West Hartford). All of the attorney volunteers again reported having a wonderful time visiting with the students, and many reported that their visits went well beyond the prepared materials and were consumed largely by the students' spontaneous and wide-ranging questions about the law and the court system.

C. Soup Kitchen Project

The Young Lawyers Section Soup Kitchen Project has completed its fourth Bar year. Members of the YLS—aided by family, friends and colleagues from the Section and the Senior Bar—again helped to prepare and serve meals once per month at the St. Elizabeth House/Mercy Shelter in Hartford and at the Norwalk Emergency Shelter. The Soup Kitchen Project again received financial support through a grant from the American Bar Association Young Lawyers Division (ABA/YLD). As always, many volunteers took the time to report what a rewarding experience they had and have asked to volunteer again. Pro Bono and Public Service Director Sylvia Rutkowska did an excellent job in coordinating the Soup Kitchen Project.

D. Horn of Plenty

The Horn of Plenty Food & Clothing Drive, conducted during the holiday season, is the YLS' longest-standing public service project. YLS members, under the lead of the section's Local Unit Chairs, coordinated food and clothing drives throughout the state to benefit a variety of charities. This year, more than 40 firms participated in the Horn of Plenty drive—donating thousands of dollars of cash, food, and clothing. The Horn of Plenty drive was coordinated this year by the following Local Unit Chairs: (Bridgeport) Steven Stafstrom; Hartford: Elizabeth Mithani, Susan Kirkeby, Chris Sanetti; Middlesex: Sylvia Rutkowska, Suphi Philip; New Haven: Shari-Lynn Cuomo Shore; Stamford: Anthony Cenatiempo, Kelly Barrett; Tolland: Katherine Russo; Waterbury: Austin Berescik-Johns.

VI. Government Relations: Annual Legislative Breakfast

On April 10, 2013, the YLS held its annual Legislative Breakfast at the State Legislative Office Building featuring Senator Len Fasano—the Senate Republican Leader Pro Tempore—as the keynote speaker. Senator Fasano gave remarks about current matters of interest, including Connecticut's new gun legislation and the state budget. The event was well attended by many state legislators and other government leaders, including Secretary of the State Denise W. Merrill, giving members an opportunity to meet with them in a relaxed and social setting and to discuss both legal and legislative issues facing Connecticut today. Government Relations Director/Legislative Liaison Michael D. Goldfarb took a lead role in organizing this annual event.

VII. General Non-CLE Programming

Andrew Knott and Anthony Cenatiempo, who oversaw the YLS' non-CLE programming—provided direction and guidance to the substantive committee co-chairs who organized the bulk of the YLS' programming, which included networking events, brown bag lunches, and other similar programs. The directors also hosted a Section-wide outing to a University of Connecticut basketball game.

VIII. Career Development Programs

A. Law School Career Panels

The YLS continued its career panel series at the University of Connecticut 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 provide a direct opportunity for the recruitment of law student members, who the Section hopes will continue as active attorney members after graduation from law school. The panels were facilitated by YLS Law School Outreach Director, David A. McGrath, and organized by the substantive committees as described in part XII of this Report.

B. Career Development Programs for Members

Daniel Lindenberg, Civics Education Director, again organized “Whine and Wine” career development programs of general interest to young lawyers. Unlike past years, two career coaches will separately provide those lawyers looking for a job and the established attorneys with strategies and solutions for articulating their “brand”—what to say, and what not to say, in their “elevator pitch” (i.e., the first impression) to the targeted audience.

IX. American Bar Association/Young Lawyers Division (ABA/YLD) Report

Under the lead of ABA/YLD District Representative Dana Hrelc, who represents Connecticut and Rhode Island, YLS participation in ABA/YLD activities continues to increase steadily on the heels of last year’s success. The YLS sent representatives to all of the ABA/YLD conferences during the 2012-2013 Bar year. Specifically, a full slate of four certified delegates—in addition to Attorney Hrelc—attended the ABA/YLD Annual Conference in Chicago, IL, in August 2012, and the ABA/YLD Midyear Conference in Dallas, TX, in February 2013. At both conferences, the delegates actively participated in approving the various policy and rule recommendations made to the ABA House of Delegates for adoption. In addition, at the Annual Conference in Chicago in August 2012, the YLS was awarded several important ABA/YLD Awards of Achievement: a First Place Comprehensive Award of Achievement for overall excellence as a statewide bar association, a Second Place Service to the Public Award of Achievement, and a Second Place Service to the Bar Award of Achievement. The receipt of three Awards of Achievement at one Annual Meeting by the YLS is unprecedented and an honor of which we are very proud. Five YLS members, including Attorney Hrelc, attended the Fall Conference in Charleston, South Carolina in October, 2012. Three members, including Attorney Hrelc, attended the YLS Spring Conference in Minneapolis, Minnesota. Finally, Connecticut has a full slate of four certified delegates, in addition to Attorney Hrelc, registered to attend the upcoming ABA/YLD Annual Conference in San Francisco, California, in August 2013.

In her role as District Representative, Attorney Hrelc has coordinated all of the YLS’ participation in ABA/YLD activities this year. Specifically, she helped roll out the YLD public-service initiative “American Voter” by organizing a voter registration drive in October 2012. A number of YLS members—both from the Executive Committee and the general section membership—participated and were able to register several dozen new voters. Most importantly, Attorney Hrelc also implemented FEMA Disaster Legal Services in the wake of Hurricane Sandy in November 2012. She worked with the CBA staff to establish an emergency hotline for survivors of Hurricane Sandy needing legal advice and approximately 30 YLS Executive Committee members volunteered to make call-backs to the survivors. The Disaster Legal Services program lasted until the middle of February 2013 and was a great success. In fact, the ABA/YLD has discussed using Connecticut’s implementation of Disaster Legal Services as a model for training other District Representatives from other parts of the country on how to successfully implement such a program when disaster strikes.

Attorney Hrelc also used the YLS member network to spearhead local participation in the continuing “Touch 10,000” ABA/YLD Project, which involves promoting ABA membership and networking opportunities to new attorneys. She organized and held a New Bar Admittees’ reception, aimed at explaining and demonstrating the benefits of ABA/YLD and YLS bar membership to new bar admittees. More than 40 new bar admittees and current ABA/YLD and YLS members attended the event and, by all accounts, it was both successful and fun. In fact, Attorney Hrelc has already started planning for a similar event in the next Bar year.

Finally, Attorney Hrelc has worked with the ABA/YLD to bring a national spotlight to all of the great work being done by the YLS. The YLS is regularly featured in the “Around the Country...” section of *The Affiliate*, the ABA/YLD published “newsletter and resource guide for bar leaders nationwide.” In this section of the newsletter and resource guide, the various events, drive, and efforts put forth by the YLS and its members are highlighted as programs that serve the community, educate other bar and affiliate members, or provide socializing and networking opportunities. In addition, the YLS was singularly featured in the “Affiliate Spotlight” section of *The Affiliate* in its January/February 2013 issue. The article discussed a number of the YLS’s projects, including the “Lawyers in the Classroom/Kids in the Courtroom” program, the “Conversations with the Government” panel series, the “Pro Bono Fair” in the fall, and the “Million Dollar Pro Bono Service Campaign” this spring. This honor is a first for the YLS and undoubtedly has brought national attention to the important work being done by young lawyers in Connecticut.

X. Future Leadership

Chair-elect Chris Nelson will automatically assume the office of Chair for the 2013-2014 Bar year. In April 2013, the Executive Committee—acting in its capacity as Nominating Committee—nominated the following slate of additional officers, who subsequently were elected to serve for the 2013-2014 Bar year: Chair-elect, Emily Graner Sexton, Vice-Chair; Matthew Necci; Treasurer, Dana Hrelc; Secretary, Aidan Welsh.

XI. Reports Submitted by YLS Substantive Committees

1. Administrative Law & Government Committee (Elizabeth Mithani, Melanie Dykas)

The Administrative Law & Government Committee, along with the Municipal Law Committee, co-sponsored a CLE program entitled “The Nuts and Bolts of the Freedom of Information Act” at the CBA Law Center in New Britain on January 23, 2013. The panelists included Janet K. Ainsworth, Staff Attorney, Connecticut Department of Emergency Services and Public Protection (formerly the Department of Public Safety), Hartford; Attorneys Gregory F. Daniels and Thomas Hennick, both with Connecticut Freedom of Information Commission, Hartford; and Monte E. Frank, Cohen & Wolf PC, Danbury. Thirty-six attendees listened to and participated in an informative discussion of how to issue and respond to requests under the Connecticut Freedom of Information Act, including its use as a discovery tool.

The Administrative Law & Government Committee also co-hosted a non-CLE program in April 2013, the “Meet the Branches” Networking Event that was held at Salute Restaurant in Hartford. The event was very well attended, as 43 people registered for an engaging evening of networking with colleagues from the legislative, judicial, and executive branches. The event was a collaborative effort, with organizational help from the Professional Responsibility and Ethics Section. The George W. Crawford Black Bar Association, the Connecticut Hispanic Bar Association, and the Connecticut Asian Pacific American Bar Association also generously contributed to this successful experience.

2. Appellate Practice Committee (Matthew Weiner, James Sexton)

The Appellate Practice Committee sponsored the annual YLS Appellate Advocacy Dinner, held at the Hartford Club on April 16, 2013. This year’s keynote speaker was Judge Richard A. Robinson of the Connecticut Appellate Court. In addition to sharing some of his fascinating interests with the audience, Judge Robinson provided valuable guidance for those practicing in Connecticut’s appellate courts.

The Appellate Practice Committee also sponsored a CLE seminar entitled “Recent Changes to the Rules of Appellate Procedure” that was held on April 15, 2013. It covered the changes to the rules of appellate procedure over the past year, as well as the purpose of those amendments and their anticipated impact on appellate practice. Specifically, the amended appellate rules governing motions for articulation, child protection appeals and stays in family cases were discussed by a panel of leading appellate attorneys and jurists, including Connecticut Supreme Court Senior Justice Christine S. Vertefeuille, and Attorneys Steven D. Ecker, Brendon P. Levesque and Samuel V. Schoonmaker IV.

3. Business Law and Financial Institutions Committee (Meghan Hayden, Todd Siegel)

The Business Law Committee held a very highly attended CLE program, “A Lawyer’s Guide to Drafting Corporate and LLC Organizational Documents,” on April 4, 2013, which was co-sponsored by the Corporate Counsel Committee. The program focused on choice of entity issues; drafting concerns; tax implications relating to entity choices; and the pros, cons, and nuances of various entity structures. The panelists included Andrew C. Glassman, Pullman & Comley LLC, Hartford; John H. Lawrence Jr., Shipman & Goodwin LLC, Hartford; Louis B. Schatz,

Shipman & Goodwin LLP, Hartford; and David A. Swerdloff, Day Pitney LLP, Stamford. In post-program evaluations, many of the approximately 90 attendees noted that the interaction between the speakers kept the program entertaining while covering a lot of material in a short period of time.

4. Child Welfare & Juvenile Law Committee (Shari-Lynn Cuomo Shore)

The Child Welfare & Juvenile Law Committee co-sponsored, along with the Small Firm & Solo Practice Committee, the “Going Commando” program on November 28, 2012. This was an informative event for attorneys who had recently opened or were planning to open their own solo practice or small firm. One of the subtopics discussed was obtaining court appointed work in Juvenile Court. The event drew a large attendance of all ages and experiences. At the conclusion of the event, the attendees were invited to attend a networking reception at Aunt Chilada’s in Hamden.

On January 16, 2013, the Child Welfare & Juvenile Law Committee also co-sponsored another event with the Small Firm & Solo Practice Committee called “How to Get Paid” that was held at the Quinnipiac Law School Grand Courtroom, Hamden. This was another panel event that featured attorneys who could speak about obtaining state contracts and other appointed legal work. Panelists included John R. Day, Director of Assigned Counsel, Office of the Chief Public Defender, Hartford, who discussed child protection, delinquency, criminal defense, habeas corpus, and appellate contracts; Sarah H. Shapiro, Shapiro Law Offices LLC, Middletown, who discussed foreclosure committee appointments; and a panelist from the Office of the Probate Court Administrator who discussed probate appointments. The event drew many of the same attendees from our “Going Commando” event and they were just as engaged in the program this time around (if not more so!). Our panelists were wonderful and it was an enjoyable experience for all.

5. Commercial Law & Bankruptcy Committee (Christopher Hite)

The Commercial Law & Bankruptcy Committee held the CLE program “Bankruptcy 101: Introduction to Bankruptcy Basics” on November 10, 2012 at the CBA Law Center. The session focused on the basic fundamentals of Chapter 7 and Chapter 13 consumer bankruptcy for new attorneys and for those attorneys not familiar with bankruptcy practice. The featured speaker was Max L. Rosenberg, Rosenberg & Press LLC, who was assisted by committee chair Christopher D. Hite, also of Rosenberg & Press LLC. The attorneys held an extensive question-and-answer session following the scheduled program. The event was attended by approximately 20 people live and a few additional people by telecast.

The Commercial Law & Bankruptcy Committee also assisting in the planning of and participated in the YLS Fairfield County Networking Reception on February 19, 2013 in Southport. This was a well-attended event by many members of the YLS and senior bar, alike.

6. Construction Law Committee (Matthew Nettleton)

The Construction Law Committee—in conjunction with the CBA Construction and Insurance Law Sections—held a CLE program on March 6, 2013 at the Rocky Hill Sheraton entitled “Nullum Tempus and Beyond: Practical and Public Policy Implications of the UConn Law School Library Decision.” The CLE focused on the implications of the Connecticut Supreme Court’s November 2012 decision in *State v. Lombardo Bros. Mason Contractors, Inc.*, which held the centuries-old common law doctrine of nullum tempus to apply in Connecticut. The CLE was attended by more than 50 people. The CLE was skillfully moderated by John E. Bulman, Little Bulman Medeiros & Whitney, Providence, RI; and featured six panelists: Donald E. Doeg, Updike, Kelly & Spellacy PC; Michael J. Donnelly, Murtha Cullina LLP; Timothy S. Fisher, McCarter & English LLP; Gregory D. Podolak, Saxe Doernberger & Vita PC; Steven B. Kaplan, Michelson, Kane, Royster & Barger PC; and Donald J. Shubert, President, Connecticut Construction Industries Association. The CLE considered the issue of statutes of limitation for claims brought by the state from several angles, including that of contractors, design professionals, insurers, sureties, the State of Connecticut, and possible legislative responses to the Supreme Court’s decision. A lively question and answer session capped off an evening enjoyed by all attendees.

7. Corporate Counsel Committee (Natalie Carpenter, Todd Liu)

The Corporate Counsel Committee held both a CLE and a networking reception. The CLE, jointly organized with the Business Law Committee and described in part XI.3 of this report, reprised the popular program, “A Lawyer’s Guide to Drafting Corporate and LLC Organizational Documents.”

In April 2013, the Corporate Counsel Committee held a networking event that served as a continuation of the “In-House in the House” series for in-house counsel and attorneys interested in in-house work. It was held at Griffin Hospital in Derby and consisted of a hospital tour and a question-and-answer session with Griffin’s general counsel.

8. Criminal Justice Committee (Rebecca Paolino, Austin Berescik-Johns)

The Criminal Justice Committee organized a CLE entitled “Criminal Law 101,” which was held on November 27, 2012. Superior Court Judge Richard Marano, Assistant State’s Attorney Mirella Giambalvo and Attorney Tushar Shah discussed the basics of criminal law practice in Connecticut, including the process of communicating with an incarcerated client, interactions with prosecutors, and the various opportunities for plea bargains and diversionary programs. This CLE had approximately 25 individuals in attendance.

The Criminal Justice Committee organized a second CLE program, “In the Shadow of Newtown: the Crossroads of Criminal Law, Firearms and Mental Health,” held on May 7, 2013. Panelists, who included Office of Policy & Management Undersecretary Mike Lawlor, Attorney Lisa Steele, and mental health clinician Tyler Booth, discussed the legal repercussions of the tragic Newtown school shooting, including the new Connecticut gun violence and children’s safety laws and the appropriate courses of action to take with clients who have mental health issues (diagnosed and undiagnosed).

9. Education Law Committee (Shari-Lynn Cuomo Shore)

The Education Law Committee held a CLE program, “Understanding IEPs in Special Education,” at the CBA Law Center on April 1, 2013. The program had a panel of three wonderful attorneys who spoke about the different aspects of Individualized Education Plans. It was a very interactive and informative CLE that had approximately 25 attendees.

10. Elder Law Committee (Francesca Lefante)

The Elder Law Committee held a well-attended CLE, “How to Be a Conservator,” in the fall. The presenters were Attorney Francine Davis Early and Probate Court Judge Michael Brandt. In addition, the Elder Law Committee organized a discussion on Veterans and PTSD together with Solo & Small Firm Practice Co-Chair Kyle Wilkinson. The program featured Robin Gilmartin, a licensed clinical social worker who works with the Veterans Administration Health Care System’s West Haven Campus and Robert E. Henry, who is a United States Army Major. The program generated a lot of good discussion amongst attendees.

11. Estates & Probate Law Committee (Lisa Staron, Susan Ylitalo)

The Estates and Probate Law Committee held a CLE, “Basic Estate Planning,” on Monday, April 29, 2013 at the CBA Law Center. It focused on drafting wills, revocable trusts, powers of attorney, and basic estate tax planning. Our panelists included Barbara Taylor and Ingi-Mai Loorand, both of Reid & Riege PC. The event had approximately 60 attendees.

12. Family Law Committee (Lucas Hernandez, Kelly Barrett)

On December 7, 2012, the Family Law Committee held a CLE session entitled “Family Law 101: An Introduction to the Practice of Family Law” at the CBA Law Center. The session featured former Superior Court Judge Elaine Gordon, and Attorneys Barry F. Armata, Brown Paindiris & Scott LLP; Dara P. Goings, Rome McGuigan PC; David W. Griffin, Rutkin Oldham & Griffin LLC; Kristi A. Hanney, Loudon Legal Group LLC; Amy Calvo MacNamara, Schoonmaker George Blomberg PC; Neal P. Rogan, Law Offices of Neal Rogan LLC; Samuel V. Schoonmaker IV, Schoonmaker Legal Group LLC; and Aidan R. Welsh, Schoonmaker George & Blomberg PC. The event was widely attended.

13. Federal Practice Committee (Julianne Lombardo, Steve Stafstrom)

The Federal Practice Committee presented a CLE program entitled “Federal Practice 101” on September 24, 2012. Speakers included the Honorable Donna F. Martinez, United States Magistrate Judge for the District of Connecticut; Paul D. Sanson, Shipman & Goodwin LLP; and James T. Shearin, Pullman & Comley LLC. This program, which was designed to cover basic topics in federal procedure for attorneys less familiar with federal court practice, had approximately 30 attendees. The practitioners addressed the pertinent Federal Rules of Civil Procedure, beginning with the filing of a complaint through to the case’s verdict. Judge Martinez offered unique insight into the judiciary’s perspective on effective lawyering.

On May 15, 2013, the Federal Practice Committee also hosted the annual Federal Judges Dinner to honor the judges in the District of Connecticut at The Field Restaurant in Bridgeport. Attendees included the Honorable Stefan R. Underhill, United States District Judge for the District of Connecticut, Bridgeport; the Honorable Janet C. Hall, United States District Judge for the District of Connecticut, New Haven; and the Honorable Holly B. Fitzsimmons, United States Magistrate Judge for the District of Connecticut, Bridgeport.

14. Gay & Lesbian Legal Rights Committee (Grayson Colt Holmes)

The GLBT Legal Rights Committee held a social networking event at Tisane Euro-Asian Café in Hartford on October 3, 2012. The purpose of this event was to provide GLBT YLS members a medium to connect with each other and non-YLS GLBT CBA members. Approximately 20 members participated in this event.

15. Health Law Committee (Christina Hage, Adam Tarr)

On December 3, 2012, the Health Law Committee hosted the CLE seminar “Health Care Reform Update—2012 and Beyond.” This was a sequel to prior events covering the highly publicized federal health care reform statute. The presenters were Christina M. Hage, Murtha Cullina LLP; H. Kennedy Hudner, Murtha Cullina LLP; Adam Tarr, O’Brien Tanski & Young LLP; and Karla A. Turekian, Assistant Attorney General for the State of Connecticut. The presenters represented a mix of senior health care partners and healthcare reform experts with an assistant attorney general who focuses on health care fraud and civil enforcement of the Medicaid laws. Because the two sides represented very different interests—one side, health care providers and the other side, the State—each presentation elicited spontaneous comments from the other, which facilitated a lively and interesting discussion and debate. Approximately 25 very attentive and passionate members attended. The Health Law Committee would like to continue to host a CLE related to this topic every year.

On February 25, 2013, the Health Law Committee and the Professional Responsibility Committee held another successful and well-attended CLE session—“The Interplay of HIPAA and Attorney-Client Privilege”—at the CBA Law Center. Approximately 30 lawyers attended, and we had several presenters that included Mark A. Dubois, Geraghty & Bonnano LLC, New London; Susan Huntington, Deputy General Counsel, Hartford HealthCare Corporation, Hartford; Leonard Isaac, Isaac Law Offices LLC, Waterbury; Daniel M. Lindenberg, Halloran & Sage LLP, Hartford; Arnold I. Menchel, Halloran & Sage LLP, Hartford; Suphi A. Philip, Clerk for Honorable Julia L. Aurigemma, Middlesex Superior Court Judicial District, Middletown; and Michael G. Rigg, O’Brien Tanski & Young LLP, Hartford. The event was co-sponsored by the CBA Litigation Section and the YLS Professional Responsibility Committee. The attendees were lawyers from a wide variety of practices, including employment law, school law, health law, litigation, and professional responsibility. The formal presentation was followed by a lively discussion on how to obtain health records from clients, adversaries, and medical institutions in all types of practice. This taught us that an interdisciplinary CLE can be a great forum for educating lawyers, and is a good formula for the success of future CLE programs.

The Health Law Committee additionally is planning a third CLE on contracts between health care providers and insurers under the health care reform act that is scheduled for the next Bar year in fall 2013. This program will help new and experienced health care attorneys understand the impact of healthcare reform and the new insurance co-ops in the provision of and payment for health care services. Also in the next Bar year, the Health Law Committee plans to sponsor—in cooperation with the Child Welfare & Juvenile Law committee—a social event as a fundraiser for the local nonprofit Covenant to Care for Children, where committee co-chair Adam Tarr serves on its board of directors.

16. Human Rights & Responsibilities Committee (David McGuire)

On January 7, 2013, the Human Rights & Responsibilities Committee and the Labor & Employment and Technology Committees together sponsored a CLE program, “Employers, Employees, and Social Media in the Workplace.” The program was held at the CBA Law Center and focused on First Amendment rights and employer liability regarding social media use inside and outside of the workplace. There was a distinguished panel of four speakers and the event was well attended. The presentation was followed by a vibrant question-and-answer session.

17. Insurance Law Committee (Jonathan Kelson, Chris Sanetti)

On October 1, 2012, the Insurance Law Committee co-chairs Jonathan Kelson and Christopher Sanetti presented a seminar entitled “Insurance Bad Faith Claims and Extracontractual Liability in Connecticut.” Through panel

discussion, case study, and audience participation, the seminar provided a comprehensive overview of the key issues and hot topics in insurance bad faith claims and extra-contractual liability in Connecticut—with an emphasis on third-party claims. The seminar explored the types of conduct that may give rise to bad faith claims and causes of action, defenses, discovery and damages issues, as well as practical considerations. The event was well-attended. The guest speakers included Joseph J. Arcata III, Halloran & Sage LLP; Michele C. Camerota, Nuzzo & Roberts LLC; and Jonathan P. Whitcomb, Diserio Martin O'Connor & Castiglioni LLP.

18. Intellectual Property Law (Walter Welsh)

The Intellectual Property Law Committee had another busy year. On October 15, 2012, the Intellectual Property Committee organized and sponsored a career panel at Quinnipiac Law School. The career panel consisted of Connecticut intellectual property attorneys, including Walter Welsh, Benjamin White, and Elana Bertram. Later that same evening, the Committee presented a CLE program, “Intellectual Property Matters: Protecting Your Client’s Intangible Assets.”

Later in the Bar year, the Intellectual Property Law Committee presented a CLE program about trade secrets on April 22, 2013. At that program, several attorneys from Axinn Veltrop discussed trade secret protections provided by Connecticut law.

19. Labor & Employment Law (Joe Blyskal, Peter Rydel)

During this past Bar year, the Labor & Employment Law Committee was successful in continuing to foster the relationship with its CBA counterpart by again co-hosting a meet-and-greet at Salute restaurant in Hartford. The event was well attended by young lawyers and senior members, alike, and was by all accounts a success.

The Labor & Employment Committee also co-sponsored, along with the Human Rights & Responsibilities and Technology Committees, the well-attended CLE seminar concerning social media usage in the workplace described in greater detail in part XI.16 of this report.

The Labor & Employment Committee has also forged a relationship between the YLS and the CBA Litigation Section by assisting in the development and implementation of social media pages for the Litigation Section. This project has benefited from collaboration with YLS CLE Director Emily Gianquinto, who currently manages many aspects of the YLS social media presence. Additional planning is underway to continue to roll out this project and expanding its reach to more members of the Litigation Section as a means to communicate about events and recent developments in the law, and as a forum to facilitate general discussion amongst members.

Looking forward to the 2013-2014 Bar year, the Labor & Employment Committee is in discussions with the CBA Labor and Employment Section about co-sponsoring a river cruise or other social event sometime in the upcoming Bar year.

20. Litigation Committee (Eamonn Wisneski, Tiffany Spinella)

The YLS Litigation Committee had a very active 2012-2013 Bar year that included numerous CLE and non-CLE programs. The year began with a CLE session entitled “A Short Calendar 101” that was held on November 5, 2012. This CLE focused on how young lawyers can most effectively prepare for oral argument, effectively present themselves before the court, and also included an overview of Connecticut’s short calendar system—with particular emphasis on recent changes caused by the e-filing system. Speakers included Wilson J. Trombley, Peggy George (Superior Court Operations Unit), Tucker G. McWeeny (Szilagyi & Daly), Michael R. Smuda (Middlesex Superior Court Clerk's Office) and Eamonn S. Wisneski (Dzialo Pickett & Allen PC).

The Committee also kicked off its new Courthouse Tour Series with a visit to the Middlesex Courthouse in Middletown in January 2013. This event was a great opportunity for young lawyers to take a guided tour throughout the courthouse and visit various important offices with which young litigators should be familiar, and also to learn about practices and procedures unique to the Middletown courthouse. The tour was guided and led directly by courthouse personnel. It was followed with a networking reception at La Boca Restaurant in Middletown, of which the proceeds went to Sandy Hook scholarships. The Litigation Committee hopes to continue the Series in the upcoming Bar year with a visit to the New Britain Superior Court in fall 2013.

In April 2013, the Litigation Committee presented another CLE session entitled “Seeing is Believing.” The concept behind the CLE was that young lawyers need to know how to introduce basic exhibits and visual aids, as well as understand and work with the advancement in technology. Professor Neil Feigenson and Adjunct Professor Christina O. Spiesel addressed how jurors and judges think about and perceive exhibits. In addition, Attorneys James W. Bergenn and Kenneth J. Laska addressed trial practices and techniques. Retired Superior Court Judge Robert L. Holzberg then provided advice about what does and what does not work well in court. He also informed the audience of the proper court procedure to use with visual aids. In the end, it was a very successful and informative CLE.

Finally, the Litigation Committee worked with the Workers Compensation Committee to co-sponsor a non-CLE program at Max Downtown in Hartford on May 21, 2013. The program—“Networking and Knowledge”—featured a small CRC presentation followed by a reception where attendees networked and learned from each other. The Litigation Committee looks forward to hosting more CLE, non-CLE, and “Brown Bag Lunch” events in the 2013-2014 Bar year.

21. Municipal Law Committee (Philip Pires, Evan Seeman)

On January 23, 2013, the Municipal Law Committee co-sponsored with the Government & Administrative Law Committee a CLE program, “The Nuts and Bolts of the Freedom of Information Act,” that was described in more detail in part XI.1 of this report.

The Committee also worked with the CBA Planning & Zoning Section to co-sponsor a CLE, entitled “Aggrievement in Administrative Appeals.” The seminar provided an in-depth discussion of aggrievement in administrative appeals and offered practitioners practical tips and advice from Bridgeport Superior Court Judge Dale W. Radcliffe and Attorney Barbara M. Schellenberg from Cohen & Wolf PC.

22. Professional Responsibility Committee (Suphi Philip, Lila McKinley)

The Professional Responsibility Committee co-sponsored with the Health Law Committee a well-attended CLE program, “The Interplay of HIPAA and Attorney-Client Privilege,” that was described in great detail in part XI.15 of this report. The Committee also co-sponsored, with the Administrative Law & Government Committee, the “Meet the Branches” networking event described in greater detail in part XI.1 of this report. Finally, Committee Co-Chair Lila McKinley served as the YLS representative on the CBA Ethics Committee. In this capacity, she attended meetings, co-authored an ethics opinion, and participated in the review of ethics opinions authored by other Committee members.

23. Real Property Committee (Matthew Flanagan, Jennifer Mira)

The Real Property Committee prepared two CLE programs during the 2012-2013 Bar year. The first—“Where’s My Bailout? A Guide to Helping Homeowners Facing Foreclosure”—took place on April 3, 2013. The CLE was a comprehensive guide to assisting homeowners facing foreclosure, including a review of Connecticut’s foreclosure mediation process and the loan modification process. This was a very well-attended CLE and it received excellent reviews, including requests for future CLE programs on more specific topics at issue in foreclosure representation. The second CLE—“The Nuts & Bolts of Landlord-Tenant Law”—was planned for April 29, 2013 as an introduction to the basic representation of a landlord seeking to evict a tenant, or a tenant facing the eviction process. However, it was unfortunately cancelled on the day of the program because of a medical emergency. This session was to include a review on the appropriate statutory guidelines, Notices to Quit, and standard defenses. The Real Property Committee hopes to run this landlord/tenant CLE during the upcoming 2013-2014 Bar year because it had a large number of advance registrants and the CBA has yet to offer an introductory-level course in this area.

24. Small Firm & Solo Practice (Deneka Cummings-Garcia, Jennifer Levine, Kyle Wilkinson)

The Small Firm & Solo Practice Committee organized and hosted “Going Commando: Lessons from the Field on Starting Your Own Practice,” a non-CLE event aimed at helping attorneys starting their own firms. The event was described in greater detail in part XI.4 of this report. On January 16, 2013, the Small Firm & Solo Practice Committee also organized and hosted “How to Get Paid”—a panel program intended to help private practice attorneys identify and obtain state-paid legal work opportunities. This program was also discussed in greater detail in part XI.4 of this report. Finally, the Small Firm & Solo Practice Committee collaborated with the Elder Law

Committee to co-sponsor “Veterans and PTSD.” This program was described in greater detail in part XI.10 of this report.

25. Tax Law (Scott Sebastian, Emily Boothroyd)

The Tax Law Committee spent the 2012-2013 Bar year planning two major CLE programs—unfortunately, neither materialized because of various circumstances beyond our control. The first CLE was going to focus on the tax consequences of the federal court decisions about the Defense of Marriage Act, and was to be coordinated with the Human Rights & Responsibilities Committee, the Gay and Lesbian Legal Rights Committee, and the YLS Diversity Directors. In the end, it was agreed to postpone the CLE until after the United States Supreme Court issues its decisions in this area later this year.

The Tax Law Committee also spent significant time planning a joint CLE program with the Estates and Probate Committee. This CLE would have been a full-day event that covered the completion, analysis, and filing of relevant tax returns: Form 709 (Gift Tax); Form 706 (Estate Tax), Form 1041 (Income Tax for Trusts), and 1065 (Income Tax for Partnerships). Given the legislative uncertainty at year end (that would have complicated the timely production of this program), we elected to wait and will consider presenting this program during the 2013-2014 Bar year.

The Tax Law Committee also initiated an inquiry to determine the process for offering continuing education credits for other professions with significant topical overlap, such as certified public accountants and certified financial planners (who also need continuing education). Allowing CPAs and CFPs to attend certain CBA seminars and receive continuing education credit would afford the Bar an excellent opportunity for professional networking and provide more depth to the dialogue within each seminar. The added attendance could also bolster revenue for the Bar.

Finally, Tax Law Committee co-chair Scott Sebastian, Robinson & Cole LLP, participated on a career panel addressing “Careers in Tax Law” held at the University of Connecticut School of Law on November 15, 2012. In addition to participating on the panel, Attorney Sebastian also recruited the other panelists for a discussion centering on the various facets of tax practice.

26. Technology Law Committee (Elana Bertram)

The Technology Committee organized a CLE program about the federal “Jumpstarting Our Business Startups” or “JOBS” Act that will enable small businesses to solicit funding from private individuals via approved “exchanges.” The CLE program was attended by 28 attorneys and was held at Carmen Anthony Steakhouse in New Haven. It featured a panel of speakers that included Alon Hillel-Tuch of Rockethub.com, one of the online exchanges seeking approval that lobbied in support of the JOBS Act; Henry M. Beck Jr., Halloran & Sage LLP, who shared his opinion on some of the pitfalls of loosening the SEC non-solicitation regulations; and patent agent Mark Nowotarski, who discussed the types of technologies and ideas that have been already been successful in crowdfunding. The Technology Committee intends to hold a follow-up CLE program to explore the JOBS Act regulations once they are promulgated by the SEC, which would include a speaker from that agency.

The Technology Law Committee also co-sponsored CLE and other programming provided by the Human Rights & Responsibilities Committee, described in part XI.16 of this report, and the Intellectual Property Law Committee—with both CLEs described in greater detail in part XI.18 of this report.

27. Women in the Law Committee (Lauren Davies, Kori Wisneski)

The Women in the Law Committee held four events during the 2012-2013 Bar year. The first two proceedings were informal networking events titled “Lady Lawyer’s Night Out.” Co-Chair Kori Wisneski organized the first get-together on October 4, 2012 at Esca Wine Bar in Middletown; while Co-Chair Lauren C. Davies, organized the second event on November 8, 2012 at Barcelona Restaurant and Wine Bar in Stamford. In March 2013, the Women in the Law Committee co-sponsored with the CBA Women in the Law Committee the annual Pathways Dinner, which was held at The Inn at Middletown. The event was a tremendous success due in very large part to all of Attorney Wisneski’s hard work and planning. Finally, the annual Women’s Golf Event was held on May 9, 2013 at the Golf Center at Lyman Orchards in Middlefield, and featured a skills clinic, networking, luncheon, a nine-hole round of golf, and a post-play reception.

28. Workers Compensation Committee (Katherine Russo, Randi Haraj-Sai, Tammy Laracuate-Rissolo)

The Workers' Compensation Committee had an active and successful year. On October 17, 2012, the Workers' Compensation Committee held a non-CLE function in conjunction with the CBA Workers' Compensation Section with the purpose of introducing newly-appointed Commissioner Stephen M. Morelli to the members of the workers' compensation bar—as has been done in the past when new commissioners have been appointed. Approximately 50 attorneys were present for this gathering. For the Committee's second non-CLE function, a networking event with CRC Services was held on May 21, 2013 at Max Downtown in Hartford. The event, co-sponsored by the Litigation Committee, is described in greater detail in part XI.20 earlier in this report. Finally, the Workers' Compensation Committee is organizing a CLE program on the naturopathic options for the injured worker, which is likely to be scheduled for the fall of 2013.

XII. Conclusion

On behalf of the YLS officers, I respectfully submit this report and thank the House, Board, and Officers of the CBA for your continued support of the YLS and its mission.

As one can see by this report, the 2012-2013 Bar year has been an incredible year for the YLS. However, no summary of the YLS's accomplishments can truly do justice to the incredible work and efforts of our Executive Committee. I would like to take this opportunity to thank the YLS Executive Committee for its amazing work this year. I would also like to take a moment to extend a special thank you to my fellow officers—Chris Nelson, Emily Graner Sexton, Tushar Shah, Matthew Necci, and Jonathan Weiner. Their support and friendship throughout the year has meant more to me than they know.

I also thank the CBA's professional staff for their support in implementing the Section's programs. It has been an honor to serve as Chair of this dynamic group of young lawyers.

COMMITTEE REPORTS

CIVICS EDUCATION COMMITTEE

RALPH J. MONACO, CHAIR

PURPOSE

The Civics Education Committee (hereinafter “Committee”) is continuing its outstanding efforts to improve civics education in Connecticut. The Committee is comprised of past CBA Presidents, a Superior Court Judge, the Secretary of State, the Executive Director of Civics First, educators, and lawyers.

ANNUAL REPORT

The Committee was active this year in three primary initiatives. First, the Committee continued to spearhead a speaker’s bureau for Constitution Day, which placed judges and lawyers in more than 25 schools across Connecticut during the week of September 17, 2012 to speak about the importance of the U.S. Constitution. The schools were mostly middle schools and high schools. Teachers and district administrators from the participating districts praised the efforts of the Bar and, in particular, the volunteer speakers. This was the third year for this speaker’s bureau, which appears to be well-received by educators.

Second, the Committee also worked on a second civics teacher training that was scheduled for October 2012 after the first training in April 2011 was a success. Unfortunately, we did not have enough teachers registered to proceed with the October 2012 program. However, the Civics Education Committee intends to restructure the program to make it feasible for more teachers to attend in the future. We anticipate that the speakers and materials that were prepared for the October 2012 program will be utilized when the program is held in the next Bar year. As part of the program, the Committee prepared an outstanding educational poster regarding the 2012 presidential election, which was shared with teachers who had pre-registered for the October 2012 event.

Third, the Committee organized the CBA’s 2013 Law Day ceremony on May 2 at the state of Connecticut Appellate Court in Hartford. The theme of this year’s program was “Realizing the Dream, Equality for All.” The Committee coordinated a program that included 20 students from Connecticut schools who provided dramatic readings of important documents in U.S. history regarding equal protection under the law. Toward this end, the Civics Education Committee solicited audition tapes from students and selected the best 20 presentations. The chosen students read portions of the Declaration of Independence, the 14th Amendment to the U.S. Constitution, the Emancipation Proclamation, the 19th Amendment to the U.S. Constitution, portions of the *Brown v. Board of Education* decision, and Martin Luther King’s “I Have a Dream” speech. Chief Judge Alexandra D. DiPentima opened court and—along with other members of the Appellate Court—welcomed the students, their teachers, and their parents. More than 100 people attended the event, which was recorded by video and placed on YouTube. The Committee plans to continue its extensive activities in the area of civics education in the 2013-2014 Bar year.

COMMERCIAL FINANCE COMMITTEE

THOMAS J. WELSH, CHAIR

PURPOSE

The Commercial Finance Committee is a committee of members of the Connecticut Bar Association (CBA) demonstrating knowledge, experience, and reputation in the field of commercial finance. The Committee is appointed by the president of the CBA 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

During the 2012-2013 Bar year, the Committee undertook the drafting of the Connecticut Comparative Law chapter in the book entitled *50 State Survey of the Law of Guarantees* that was published by the American Bar Association. The book, published in February 2013, was written under the auspices of the ABA Business Law Section. Committee members Michael F. Maglio, James C. Schulwolf, R. Jeffrey Smith and Thomas J. Welsh collaborated on the drafting of the Connecticut chapter as a Committee project.

The Committee, together with the Commercial Law and Bankruptcy Section, obtained permission from the CBA to support the adoption of the 2012 revisions to the Uniform Commercial Code (UCC) Article 4A (Funds Transfers) drafted by the American Law Institute and National Conference of Commissioners on Uniform State Laws. The revisions correct any potential problems in coordination between the UCC provisions and the federal Electronic Fund Transfer Act of 1978 (Title XX, Public Law 95-630, 92 Stat. 3728, 15 U.S.C. Sec. 1693 et. seq.) resulting from recent changes to the federal law. Committee Chair Thomas J. Welsh testified and presented written materials on behalf of the Committee and the Section before the Joint Committee on Banks on February 14, 2013. These revisions to UCC Article 4A are currently pending for adoption by the Connecticut General Assembly in the 2013 session.

In 2011, a number of members of the Committee were appointed to the Connecticut Law Revision Advisory Committee on the adoption by the State of Connecticut of the Uniform Certificate of Title for Vessels Act (UCOTVA) drafted by the National Conference of Commissioners on Uniform State Laws. Since Connecticut has no certificate of title requirement for vessels, this Committee studied this model law and modified the uniform act to comply with existing State laws and procedures. It also prepared a report to advise the Judiciary Committee of the General Assembly relating to relevant issues. Committee participants in this process were Michael F. Maglio, James C. Schulwolf, R. Jeffrey Smith, and Thomas J. Welsh, as Co-Chair of the Advisory Committee. With the support of the CBA, this Bill was introduced in the Connecticut General Assembly in 2012 as a portion of Senate Bill 418, and was passed by the Senate but not by the House of Representatives before the end of that short session. As a result, the Chair of the Committee worked with the affected state departments—the Department of Motor Vehicles and the Department of Energy and Environmental Protection—to prepare a satisfactory text of the Bill for reintroduction in the 2013 General Assembly session as House Bill 6341. The Committee, together with the Commercial Law and Bankruptcy Section, obtained permission from the CBA to support the adoption of House Bill 6341 adopting UCOTVA. Committee Chair Thomas J. Welsh testified and presented written materials on behalf of the Committee and the Section before the Judiciary Committee. At this writing, all the Committees considering the UCTOVA Bill have reported in favor of it and Bill is awaiting action by the General Assembly. In the event that this Bill is not passed in this session, we anticipate that this UCTOVA proposal will be introduced into the next session of the General Assembly and, since the Committee received a three-year approval from the CBA, the Committee will continue to support the adoption of this Bill.

A Committee meeting was held on October 10, 2012, at which the attending members voted to approve a recommendation to the CBA's Board of Governors and House of Delegates that the Committee be converted into a

Section. This recommendation was made due to the fact that the limited membership of the Committee permits it only to engage in a limited number of specific projects. With a broader membership, the Committee believes that it will be able to be more active and engage in additional projects and support to the legal community in areas of commercial finance and lending. A set of draft Section By-Laws was reviewed at the Committee meeting and submitted to the leadership of the Connecticut Bar Association for consideration. The Committee also intends to continue to work closely with the Commercial Law and Bankruptcy Section to provide programs and engage in joint activities

The Committee is currently planning at least one seminar to acquaint practitioners with the revisions to Article 9 of the UCC that will go into effect on July 1, 2013—which will be presented in conjunction with the Commercial Law & Bankruptcy Section in the fall of 2013. Furthermore, the Committee will consider sponsoring additional educational content in the 2013-2014 Bar year. Among educational opportunities will include, potentially, a half-day survey seminar on UCC Article 9 (Secured Transactions) as a primer for new attorneys and to re-acquaint practitioners on this topic. Additional projects and educational content will be considered as the Bar year progresses. Finally, in the upcoming 2013-2014 Bar year, the American Bar Association's *Commercial Lending Law: A State By State Guide* (2009) publication will be updated—including the chapter on Connecticut law prepared by the members of the Committee. The Committee anticipates that it will contribute to this update in the future.

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

The *Connecticut Bar Journal* originated after a resolution passed on April 26, 1926, at the Connecticut Bar Association Annual Meeting. The resolution stated that "...the President of the State Bar Association appoint a Special Committee of five members to consider the advisability of publishing with power to publish if they deem it wise to do so, a quarterly bulletin or journal of the State Bar Association." President Terrence F. Carmody appointed the five-member panel in June 1926. The first issue of the *Connecticut Bar Journal* was published in January 1927 and has been published at least quarterly since that date.

This past year the Board of Editors, a group of volunteers, published four issues of the *Connecticut Bar Journal*. The Board held two meetings this past year.

This 2012-2013 Bar year—in an effort to provide the delivery of the *Connecticut Bar Journal* as fast, green, and convenient—the Board decided to offer the membership the choice of receiving the *Connecticut Bar Journal* as a digital publication. The digital version would be sent as an e-mail attachment to the membership. The digital *CBJ* offers some advantages, in that it has much faster delivery because members will receive it in their inbox sooner without the delay of printing and mailing. In addition, the digital version has a positive effect on the environment because it will save in the use of paper to print and recycle. The digital version is also more convenient because members can load it into their laptops, tablets, or smartphones and then be able to read it anywhere and anytime. Starting with Volume 86, Numbers 1 and 2, all members of the Connecticut Bar Association will receive both the print and digital version of the publication. As members renew their membership, they can select a box on their membership renewal form to opt-in for a print copy. Starting with Number 3, only members who opt-in for the print version will receive a printed copy; others will receive the digital version.

CONNECTICUT COUNCIL OF BAR PRESIDENTS

KIMBERLY A. KNOX, CHAIR

PURPOSE

Established in 1975, the Connecticut Council of Bar Presidents' (CCBP) 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 Connecticut Council of Bar Presidents held two meetings during the 2012-2013 Bar year. The first meeting, on October 24, 2012, consisted of an in-depth discussion on the passing of the recent Limited Scope Representation Proposal approved with modifications by the House of Delegates at its October 2012 meeting. A discussion then ensued concerning the on-going topic of mandatory continuing legal education throughout the state. At the second meeting on March 26, 2013, a discussion was held on some of the current pending legislation and the CBA's position on various proposed bills. The individuals attending the meeting exchanged their association's calendar of upcoming events and ideas to benefit the members of the CCBP in the future. A succession plan form was distributed to all members to insure that the CBA's records are current and update. There was a discussion as to the future need of the CCBP and all present felt very strongly that the Council was an important vehicle towards keeping the various affiliations connected and encouraged President-elect Kimberly Knox to continue the Council. Mark A. Dubois, CBA President-elect for the 2013-2014 Bar Year, will serve as Chair of the Connecticut Council of Bar Presidents for the next 12 months.

CONNECTICUT LAWYER ADVISORY COMMITTEE

ELIZABETH C. YEN, CHAIR

PURPOSE

The *Connecticut Lawyer* is an official publication of the Connecticut Bar Association, published and distributed nine times a year to all members of the Association. This glossy color magazine includes articles on new legislation, recent state court decisions, changes in ethics rules and procedures, other significant developments affecting the legal profession, and highlights of recent and upcoming Connecticut Bar Association activities. The Connecticut Lawyer Advisory Committee works with Association staff by reviewing selected articles submitted for publication at the request of Association staff, suggesting possible topics and authors for articles, and establishing editorial policies. Several Committee members are also regular contributors to the *Connecticut Lawyer*; and all Committee members are encouraged to solicit articles on timely substantive legal topics from their colleagues.

ANNUAL REPORT

Each issue of the *Connecticut Lawyer* includes articles on substantive legal matters, highlights from recent Superior Court decisions (provided by the publishers of the *Connecticut Law Reporter*), and several columns—including columns about recent Connecticut Supreme Court decisions, recent Young Lawyers Section activities, and law practice management topics. The magazine also periodically includes ethics opinions drafted by the Committee on Professional Ethics, and digests prepared by the Professional Discipline Committee of recent Statewide Grievance Committee decisions. The magazine also informs Association members of significant Association events, including the Annual Meeting, the Association's legislative agenda, pro bono, and other initiatives.

Meetings

The Connecticut Lawyer Advisory Committee met on October 23, 2012. Ms. Yen began the meeting by thanking the past chair, Steven Errante, for his 22 years of service as the original chair of the committee. Mr. Errante's contributions to the Committee and the Connecticut Bar Association, as a whole, are gratefully acknowledged on page 31 of the August/September 2012 issue of the *Connecticut Lawyer*.

Association staff members who edit and put together the issues of the *Connecticut Lawyer*, receive and review article submissions, sell advertising space, and otherwise oversee the production of this publication introduced themselves to Committee members, and discussed how the Committee could best work with Association staff to provide advice when needed, and answer questions that occasionally arise about the substantive content of individual issues and articles received for possible publication. The Committee agreed to continue the practice from past years of reviewing selected articles upon request of Association staff and otherwise responding to staff questions via e-mail. In many cases, depending on the topic of a proposed article, Association staff may consult with one or two individual members of the Committee based on members' familiarity with and interest in specific subject matters.

The editorial guidelines for authors were discussed and fine-tuning clarifying revisions were approved. (See https://www.ctbar.org/userfiles/ConnecticutLawyer/CT_Lawyer_Editorial_Guidelines.pdf.)

Along with Connecticut Bar Association leadership, having expressed concerns about the publication costs of the *Connecticut Lawyer*, the Committee also briefly discussed advertising revenues relative to printing and mailing costs. (In the spring of 2013, Ms. Yen also worked with Association staff to implement publication cost savings, including use of a slightly less expensive, lighter-weight paper that will help reduce printing and postage costs.)

The *Connecticut Lawyer's* continued success would not be possible without the interest and hours invested by many volunteers from the Advisory Committee, and the active support of the Association's general membership and staff.

DIVERSITY COMMITTEE

TANYA BOVÉE AND NDIDI MOSES, CO-CHAIRS

PURPOSE

The Diversity Committee plans programs and spearheads initiatives to encourage diversity within the Connecticut Bar Association (CBA) and its leadership. The Diversity Committee focuses on creating a dialogue between CBA members and the affinity bar associations. The Committee encourages all members of the CBA to take responsibility for diversifying the CBA through active involvement in diversity and inclusion programs in their own organizations and their communities, as well as participation in recruitment, retention, and promotion initiatives.

ANNUAL REPORT

This year we continued to work with affinity bar associations to ensure their participation in the CBA's affinity bar delegate seat initiative in the House of Delegates. We also encouraged the Membership Committee to extend the reduced dues structure for another year, to assist some affinity bars with qualifying for the delegate seat. To date, while not yet certified, the South Asian Bar Association is working towards certification.

We also established four sub-committees, to assist us with focusing on special projects:

- 1. Communications Sub-Committee.** This sub-committee works to improve communication between the CBA and the affinity bars to ensure the affinity bars are aware of opportunities to advertise events with the CBA. In addition, the sub-committee is brainstorming ways to use Twitter, Blogs, and other social media to help the CBA and affinity bars publicize events, programs, and initiatives.
- 2. Legislative Sub-Committee.** This sub-committee works with Bill Chapman to review and identify legislation that may be of interest to the Diversity Committee, and the affinity bars.
- 3. Annual Dinner Committee.** This sub-committee is working with the CBA staff to plan a reception for affinity bar leaders and CBA leadership at the Annual Dinner. The sub-committee would work with the Annual Dinner sub-committee to solicit the input from the affinity bars and organize their participation.
- 4. Affinity Bar Seats and Membership.** This sub-committee works with the Membership Committee, the affinity bar associations, and affinity bar delegates to manage issues regarding the affinity bar House of Delegates program. The sub-committee would also work with the Membership Committee to assess the success of the reduced dues schedule and propose programs to increase diversity in the

FEDERAL JUDICIARY COMMITTEE

WILLIAM H. CLENDENEN, JR., CHAIR

PURPOSE

The Federal Judiciary Committee reviews and reports on nominations proposed by Connecticut's United States Senators for judicial appointments, primarily to the United States District Court for the District of Connecticut.

According to the Rules, our recommendations are reported to the President of the Connecticut Bar Association, wherein he or she forwards the findings to the proposed nominee; the Office of the President of the United States; the two U.S. Senators from Connecticut; the Attorney General of the United States; and the Chair of the Committee on the Judiciary of the United States Senate.

ANNUAL REPORT

The Committee investigated and discussed the qualifications of Michael P. Shea to be a Judge of the United States District Court. On March 12, 2012, the Committee met with the nominee and unanimously found him to be qualified. The Committee reported its findings to the President of the Connecticut Bar Association, who promptly reported this finding to the United States Senate. In due course, Mr. Shea was confirmed as a United States District Judge. Judge Shea is presently serving in Hartford, Connecticut.

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.

Arbitration/Mediation Panel

Richard F. Banbury, Rome McGuigan PC, Hartford
Kenneth E. Caisse, Loudon Legal Group LLC, Hartford
Donald W. Celotto, Jr., Donald W. Celotto, Jr. - Attorney at Law, New Haven
Ira B. Charmoy, Zeldes Needle & Cooper PC, Bridgeport
Kathleen M. Conway, Law Offices of Kathleen M. Conway LLC, New Haven
Dean M. Cordiano, Day Pitney LLP, Hartford
Brenda A. Eckert, Shipman & Goodwin LLP, Hartford
Dale P. Faulkner, Faulkner & Graves PC, New London
John R. Gamm, John R. Gamm LLC, Glastonbury
Jack V. Genovese II, Law Offices of Jack V. Genovese II, Glastonbury
Eric M. Grant, Yamin & Grant LLC, Waterbury
Thomas J. Groark, Jr., Day Pitney LLP, Hartford
Arnold Y. Kapiloff, Nemchek & Poeschl, Stamford
Brian D. Kaschel, Law Office of Brian D. Kaschel, Fairfield
Kenneth J. Laska, Segal & Laska PC, Plainville
Donna P. Lin, Richard J. Margenot LLC, Attorney at Law, Rocky Hill
Richard T. Meehan, Jr., Meehan Meehan & Gavin LLP, Bridgeport
Thomas M. Murtha, Maher & Murtha LLC, Bridgeport
Paul W. Orth, MacDermid Reynolds & Glissman PC, Hartford
James M. Sconzo, Jorden Burt LLP, Simsbury
Bernard L. Shapiro, Heard & Smith LLP, Stamford
Mark R. Soboslai, Law Offices of Mark R. Soboslai, Westport
James F. Stapleton, James F. Stapleton - Attorney at Law, Trumbull
Richard W. Tomc, Richard W. Tomc & Associates PC, Middletown
Jacob D. Zeldes, Zeldes Needle & Cooper PC, Bridgeport

ANNUAL REPORT

As our Committee enters its 23rd year, the Lawyer-to-Lawyer Dispute Resolution 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 Bar year 2012-2013, Committee staffers report the following activities involving lawyer-to lawyer dispute resolution:

Cases still opened from 2011:	1
New files opened in 2012:	8
Cases resolved by mediation:	4
Cases resolved by arbitration:	2
Mediated, but not resolved:	0

Settled by parties during arbitration hearing:	1
Settled by parties before mediation hearing:	1
Cases pending:	3
Cases Inactive:	3

The Connecticut Bar Association provides a valuable service by ensuring that lawyers can be reviewed and judged by their peers in a confidential and professional manner. Program participants are very satisfied with the program, judging by the letters of thanks received by mediators and program staff.

LEGISLATION POLICY AND REVIEW COMMITTEE

KIMBERLY A. KNOX, CHAIR

PURPOSE

The Legislation Policy and Review Committee reviews proposals for and the taking of positions concerning legislation—including Administrative Regulations and Rulemaking—and makes recommendations to the governing bodies 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 regulatory rule or making position being taken or having been taken by the Association or any of its Sections or Committees. The Legislation Policy and 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, at least two-thirds of whom shall be members or former members of the House of Delegates or the Board of Governors, but not a member of the Association's Executive Committee. The members for 2012-2013 were Brian P. Rice, Daniel J. Krisch, Howard B. Schiller, James T. Shearin, Janet L. Van Tassel, Jeffrey F. Buebendorf, Lynne A. Ustach, Steven M. Greenspan, and Suzanne E. Caron. Bill Chapman, CBA Government and Community Relations, was the legislative lobbyist. The Legislative Policy and Review Committee is chaired by the president-elect of the Association.

ANNUAL REPORT

The Legislation Policy and Review Committee scheduled telephonic meetings every Thursday morning of the legislative session, and less frequently both before and after the session. Each meeting had a quorum of members, and all members were provided with copies of the legislative or regulatory proposals and an analysis of each such proposal prior to the meetings. For the remainder of the Bar year, the Committee will convene on an "as-needed" basis for any upcoming legislation, regulations, rules, and CBA policy.

The Committee concluded a very active and successful legislative session monitoring over 600 bills submitted to the General Assembly. Notable achievements was legislation signed by the Governor, including the passage of an act concerning gun violence prevention and children's safety, the adoption of the Uniform Electronic Legal Material Act, and from the Planning and Zoning section, AAC Enforcement Protection for Nonconforming Structures. Also after trying for almost ten years, the Governor signed into law enhanced penalties into the Unauthorized Practice of Law (UPL).

Awaiting the governor's signature is legislation including regulations of private transfer fees (Real Property), a Law Revision Commission Alimony Study (Family), dissection choice (Animal), transfer of assets in cases of long term care (Elder), enhancing penalties for human trafficking (Human Rights & Child Welfare), UPL by Notaries Public (International), recommendations of the State of Connecticut Brownfields Working Group, court denial of frivolous court filings (ProBono), a task force bill to discuss Gal and attorneys in child custody cases (Family), transparency in state government through posting state regulations on agency websites.

Some bills were passed in only one chamber and were stalled at the end of June 5 including a bill encouraging benefit corporations and social enterprise (Business), court advocates for the protection of animals (Animal Law), and Uniform Certificate for Title of Vessels Act (Commercial Law).

There were some bills that did not make it to the floor including Medical Options for Life Sustaining Treatment (Elder and Estates & Probate), Access to Death Certificates (Estates & Probate), Uniform Military Overseas Voters Act (Veterans) and Electronic Fund Transfer Act (Commercial Finance)

There were also a number of bills that sections did not support and died in committee including the elimination of ADR in home construction cases, increasing the maximum filing fees in small claims and the exclusion of veterans' disability compensation from alimony in divorce proceedings.

MEDIA AND LAW COMMITTEE

JAMES W. BERGENN AND STEPHEN E. NEVAS, CO-CHAIRS

PURPOSE

This Committee is charged with bringing together those Connecticut Bar Association members practicing in the fields of Freedom of Information, First Amendment, privacy, and other areas, with members of Connecticut's print, radio, and television media to discuss current issues affecting these radically and rapidly developing subject areas; and to foster a more positive relationship between Connecticut Bar Association members and Connecticut's media.

ANNUAL REPORT

The Committee has closely followed a number of significant proposals during the current legislative session. We are also in the process of planning a series of possible initiatives in advance of the next legislative session. They include:

1. Proposals to improve the paradigm underlying Connecticut's best-in-the-nation Freedom of Information laws. Since the State computerizes most of its records—and many of them are not and should be subject to exclusions from disclosure—we will consider an initiative that would require State and local governments to make many more of their records that are not subject to exclusions from disclosure readily available online. Media and our citizens need better and quicker access to public records. The Committee hopes to begin meetings with interested parties in early fall 2013. Of note, our last Freedom of Information (FOI) Boot camp was so well attended that, in conjunction with these efforts, we will consider scheduling another FOI Boot camp.
2. An update of state laws to protect the emergence of individuals as members of the "media." Anyone who uses a PC, tablet, or smartphone to gather and disseminate information on a small or large scale has arguably become a member of the "press" and is entitled to many, if not all, of the same protections. Our laws lag far behind the technology and, thus, need to be updated. The Committee plans to begin consideration of possible law updates in the near future.
3. As personal digital communication merge with "mass media" and become indistinguishable in many respects, trust in the integrity of media is threatened by the collection of personal information by digital service providers without a person's knowledge or the right to review or control how it is used. The Committee intends to convene a series of meetings soon in order to develop proposals for access to—and the right to control—this kind of information gathering and usage. While some may argue that such proposals should be left to the federal government, the imposition of state-based requirements (like those now under consideration in California) may hasten and influence this process.

MEMBERSHIP COMMITTEE

STEPHEN J. CURLEY, CHAIR

PURPOSE

The 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 to the Connecticut Bar Association (CBA) by, among other approaches, affirmatively reaching out to the diverse lawyer population of its 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 2012-2013 Membership Committee consisted of the following members: Chair Stephen J. Curley; Laurie Bloom; Alice A. Bruno (Executive Director); Kate McEvoy; Chris R. Nelson; Jim Nugent; Cherie G. Phoenix. CBA Past President Ralph J. Monaco served as member ex-officio of the Committee. CBA staff advisors included Laurie Nivison, former Marketing and Communications Administrator and Jessica A. Pace, Marketing Associate.

The Membership Committee Had a Very Successful Year

The Committee's primary focus continues to be the growth of CBA membership. The Committee continues to explore ways to both better retain existing members and attract new members. Both of these concerns were addressed throughout the 2012-2013 Bar year. Member retention was supported by a successful renewal call drive effort in September 2012. Attraction of new members was accomplished through reduced membership-pricing initiatives and an expansion of the free membership time period for new admittees.

Specific Initiatives of the Committee

The Committee's focus during the 2012-2013 Bar year included the following:

1. *FY 12-13 Renewal Call Drive:* The 2012 renewal call drive resulted in more than 600 member renewals in September 2012 of the 1,844 members who had not renewed as of August 31, 2012. The CBA staff, in particular, should be commended for organizing this successful effort.
2. *FY 12-13 \$99 Affinity Dues Initiative:* In November 2012, the Committee recommended the extension of the \$99 Affinity Dues Initiative (adopted by the House of Delegates in 2012) for the South Asian Bar Association of Connecticut (SABAC) for the 2013-2014 Bar year. In April 2013, the Committee also recommended extension of this initiative for the 2013-14 Bar Year to include not only SABAC but the three affinity bars currently represented within the CBA House of Delegates.
3. *Expansion of Free Membership Period for New Admittees:* In February 2013, the Committee recommended that free membership in the CBA be extended for the balance of the Bar year to all new attorneys admitted to the Connecticut Bar. In March 2013, the House of Delegates approved this recommendation.

Membership Dues Collections

As of April 30, 2013, the CBA membership consisted of **9,699 members**, including:

- 8,617 member attorneys
- 876 student members (law students and paralegal students)
- 206 associate members

In comparison to prior Bar year statistics, CBA membership consisted of **10,011 members** on April 30, 2012, including:

- 8,892 member attorneys
- 905 student members (law student and paralegal students)
- 214 associate members

While there has been a slight decline in membership, the dues increase approved for the 2012-2013 Bar year have resulted in a year-over-year increase in dues revenues.

Special Thanks

The Membership Committee would like to recognize its members, as well as non-Committee members and CBA staff for giving their time and talent throughout this Bar year for the benefit of all CBA members. The Committee also thanks the House of Delegates, Board of Governors, officers, and the Executive Committee for their continued support and counsel.

PRO BONO COMMITTEE

MARK A. DUBOIS, CHAIR

PURPOSE

The charge of this Committee is to increase the availability of free legal services to Connecticut residents of limited means 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 CBA pro bono coordinator—met monthly (with the exception of December and April) with the objective of raising the consciousness of lawyers throughout the state as to their professional responsibility to ensure access to justice for the neediest of Connecticut residents.

Pro Bono Training Seminars and Activities

A core activity of the Committee has been training volunteer attorneys and paralegals. Seminars are held at the CBA Law Center, unless otherwise noted. This Bar year’s training topics and event dates were:

- A. Thunderdome: Pro Bono Family Law Series classes included:
 - “Uncontested Divorce Overview Training” (September 12)
 - “Interviewing Clients and Filing Initial Paperwork” (October 3)
 - “Motions Before Judgment and Discovery” (October 25)
 - “Agreements and Preparation of Judgment” (November 14)
 - “Final Hearing” (December 12)
- B. “VA Benefits Training” hosted by the CBA’s Veterans Task Force (October 5, 2012)
- C. “Truancy Intervention Project New Volunteers’ Training” for New Britain and New Haven volunteers (October 30, 2012 in New Haven and November 3, 2012 at the CBA Law Center)
- D. “Family Law 101” was held on January 17, 2013
- E. International Institute of Connecticut, in partnership with the Hartford Immigration Court, held a full-day training program—“Model Hearing Training on Asylum Law and Practice”—on April 19, 2013 at its office in Hartford.

Senior Attorneys Pro Bono Program

An initiative that the Committee endorsed is the recruitment and engagement of “senior” attorneys in pro bono work. This initiative has been targeted to the area of Small Claims and a pilot program will begin in Hartford Court.

Young Lawyers Pro Bono

The Connecticut Judicial Branch Pro Bono Committee, Connecticut Bar Association Young Lawyers Section, and the Connecticut Bar Foundation hosted *Pro Bono Initiative: A New Take* on November 14, 2012 at Yale Law School in New Haven.

The Young Lawyers Section also developed a new pro bono service campaign with the goal of increasing pro bono participation and awareness, and performing \$1 million worth of pro bono services from March 2013 to May 2013. At a rate of \$250 per hour, this amounts to the performance of 4,000 pro bono hours.

Legal Service Funding

The committee has monitored the crisis in legal service funding.

Pro Bono Recognition

The Pro Bono Awards are given to outstanding volunteers at the Annual Meeting Bench/Bar Luncheon. The committee voted to give awards to four outstanding pro bono volunteers. The attorney recipients are: Judith Hoberman of Shedd & Hoberman, Robert Hinton of Hinckley, Allen & Snyder LLP, Alaine Doolan of Robinson & Cole, and Geoffrey Naab of LaBelle LaBelle & Naab PC.

On the Pro Bono Honor Roll a listing of 950 volunteers were published in the May/June issue of the *Connecticut Lawyer* magazine.

Promotion of Pro Bono Activities

The CBA has a presence at the New Admittee Receptions in June and November, handing out information of pro bono opportunities.

At the CBA Leadership Retreat on Sept 14, 2012 a Manual was distributed and in Section F, a one page description of the Pro Bono Network was included.

Every year the CBA publishes a Membership Directory, the Connecticut Pro Bono Network was listed in the Directory.

Visits to law schools were conducted in February of 2013, in light of more law schools requiring their students to perform pro bono work before graduation and NY State Bar now having the requirement of pro bono work before admission.

The "Time to Go Pro Bono" column in the *Connecticut Lawyer* is a column about pro bono opportunities, events, or volunteers to highlight the great works that are happening in Connecticut. This column has been a great success.

PROFESSIONAL DISCIPLINE COMMITTEE

RICHARD A. CERRATO, CHAIR

PURPOSE

The Professional Discipline Committee is the voice of the Connecticut Bar Association in professional 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 that govern the Statewide Grievance Committee, Statewide Bar Court Counsel, the Superior Court, and Bar. The Committee prepares the Professional Discipline Digest, which appears four (4) times per year in *Connecticut Lawyer* magazine.

ANNUAL REPORT

Executive Committee

Richard A. Cerrato, Chair, Richard A. Cerrato Attorney at Law, Bridgeport
Lois B. Anderson, Vice Chair, Lois B. Anderson Attorney at Law, Stamford
Samuel L. Braunstein, Secretary, Braunstein & Todisco, Fairfield

Meetings

The Professional Discipline Digest (PDC) has met four times during the current membership year. Our agenda items include proposed rule modifications to the Superior Court Rules that have originated from the offices of the Office of the Chief Disciplinary Counsel and the Statewide Bar Counsel.

The PDC has formally supported amendments to Section 2-53 of the Rules concerning “Reinstatement after Suspension, Disbarment, or Resignation” proposed by the Office of the Chief Disciplinary Counsel and the Statewide Bar Counsel to the Superior Court Rules Committee. However, the PDC has requested that Connecticut Bar Association (CBA) endorse the amendments on conditions that Sections 2-53(h), 2-53(i), and 2-53(j) be further amended to insure that the Application for Reinstatement received timely notice of all hearings, receive a copy of all reports, and have access to all records received by the Standing Committee that makes recommendations for reinstatement. The CBA has done so at the Committee’s request. A public hearing on the proposed amendments took place on May 20, 2013.

Publications

Committee members have prepared the *Professional Discipline Digest* and synopses of the decisions have been published in the *Connecticut Lawyer*. Committee members involved in the publications include John Q. Gale, Mark A. Dubois, John F. Morris, Michael F. Romano, and Cindy R. Slane.

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

Legislative Efforts

The Committee has two members who serve as legislative liaisons who monitor those bills that impact lawyer discipline. Currently those members are Robert W. Clark and Jennifer M. Celentano.

STANDING COMMITTEE ON PROFESSIONAL ETHICS

JOHN R. LOGAN, CHAIR

PURPOSE

The Standing Committee on Professional Ethics provides members of the Bar with opinions on matters of professional ethics. Written requests for opinions are referred to a Committee member for preparation of a draft opinion, which is then debated and considered for adoption or rejection at the Committee's monthly meeting in New Haven. Some opinions are referred to subcommittees for research, reconsideration, and revision. All of the Committee members are, therefore, given an opportunity to participate in the activities of the Committee. The Committee issues Formal and Informal Opinions, and the Formal Opinions are published in the *Connecticut Bar Journal* and the *ABA/BNA Lawyers Manual on Professional Conduct*. Informal Opinions are provided to the Yale, University of Connecticut School of Law, and Quinnipiac Law Libraries and are made available at the CBA office. Digests are published in the *ABA/BNA Manual*. The CBA publishes annually the *Professional Responsibility Reference Guide*, which includes updated Formal and Informal Opinions rendered by the Committee since adoption of the Rules of Professional Conduct in Connecticut, October 1, 1986.

ANNUAL REPORT

In the past Bar year, the Standing Committee on Professional Ethics continued its active pace. Ten new informal opinions were adopted by the Committee addressing a myriad of topics, including the advice and counsel a lawyer may give to clients who seeking to manufacture and distribute marijuana under the State of Connecticut's Palliative Use of Marijuana Act. All the recent opinions adopted by the Committee are now available on the CBA's Web site. These opinions are located on the page dedicated to the Professional Ethics Committee.

We continue to review the Committee's Web page in an effort to update its content for the benefit of the Bar.

Over the past Bar year, the Committee has recommended various rules and commentary changes to Rules of Professional Conduct. Our recommendations were forwarded to the CBA's governing body and then to the Superior Court's Rules Committee. Many of the 2012-13 proposals relate to the American Bar Association's Commission on Ethics 20/20. The ABA's Commission proposals continue to "perform a thorough review of the ABA Model Rules of professional conduct and the U. S. system of lawyer regulation in the context of advances in technology and global legal-practice developments." (See ABA Web site for the 20/20 panel information and the State of Connecticut's Judicial Web site for the most recent rules proposals.)

The Committee also provides ethics education to members of the bar. This is accomplished not only through the opinions issued, but also through answering practitioners' phone calls regarding ethical topics/concerns. Of course, the committee provides continuing legal education via formal seminars covering multiple ethics topics. Further, the Committee answers inquiries from both the press and members of the public.

Personally, I again commend the hard-working members of the Standing Committee on Professional Ethics for their time, dedication, and professionalism. The consistently high level of quality work product produced by these members is not only a tribute to their legal acumen, but also to the serious nature of the task. I hope the members of the Bar find the work of the Committee helpful in their practice. Members of the Bar interested in serving on the Standing Committee on Professional Ethics should make such preference known to the CBA staff.

""PROFESSIONALISM AND CLE COMMITTEE

TIMOTHY DIEMAND, CO-CHAIR AND LOIS PEPE, CO-CHAIR

PURPOSE

The mission of the Connecticut Bar Association (CBA) 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

In September 2011, then CBA President Brad Gallant combined the Standing Committee on Professionalism with the Continuing Legal Education Committee in the hope and expectation their common objectives in many areas would result in a synergy in the combined group that would enhance its effectiveness and service to the CBA members. The experiences of the past two years indicate Gallant's decision was right on target.

The Committee conducted its signature event—the annual Bench-Bar Professionalism Symposium, in a joint venture with the Middlesex, New London, and Windham County Bar Associations—on November 2, 2012 at the Middletown Superior Court. The event was attended by more than 100 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 11 years. This upcoming 2013-2014 Bar year, the symposium will be presented in conjunction with the Greater Bridgeport Bar Association on November 2, 2013.

The rule changes providing for Minimum Continuing Legal Education pending before the Superior Court Rules Committee continued to receive the vigorous support of the Committee during the past year. The proposed rules were adopted by the CBA House of Delegates on March 12, 2007. After issues were raised by the Rules Committee, the Committee and CBA leadership convened a “round table” in New Haven on November 28, 2011 and, at this gathering, solicited the further input of all local bar associations. That resulted in amendments to the original rules, which were again approved by the House of Delegates on January 23, 2012 and re-submitted to the Rules Committee. The Rules Committee suggested that the Chief Justice appoint a Commission to examine the issue, which was done. That Commission did not recommend adoption of the CBA's proposed rules; but, instead recommended a plan for a mandatory training program for newly admitted attorneys and a statewide professionalism day. Unfortunately, the Rules Committee did not approve either recommendation. The Professionalism and CLE

Committee is convinced of the benefits of MCLE and it will continue its efforts to bring MCLE to Connecticut.

The Committee also continued its support of the Mentoring Task Force II, co-chaired by the Honorable Kenneth L. Shluger, Judge of the Superior Court and a member of the Committee, and on which several 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). On March 1, 2013, the Task Force submitted its recommendation for such a program to the CBA Executive Committee for consideration by it and the House of Delegates.

The Professionalism and CLE Committee co-chairs 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 Committee has always received from the Judicial Branch.

RESOLUTION OF LEGAL FEE DISPUTES COMMITTEE

WILLIAM H. CHAMPLIN III, CHAIR

PURPOSE

For the past 35 years, the Connecticut Bar Association (CBA) 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. There is no charge for this service.

The Committee on the Resolution of Legal Fee Disputes consists of 40 members of the CBA, who are appointed by the president 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 who, 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

For the 2012-2013 Bar year, the Committee had a full and complete compliment of 40 attorneys for the Board.

During the Bar year, attorneys or clients filed 46 new disputes—down 17 disputes from the previous year. Additionally, 12 cases from the prior year were carried over to the current year with the Committee. Over the past 12 months, 34 of these dispute matters were settled by the parties 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 10 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 24 open matters pending at this time, a reduction in the outstanding cases this year compared to the end of the prior year.

In addition to mediation and arbitration, Committee members and the Chair respond to questions about fee disputes and the rules of the Fee Dispute Board throughout the Bar year. Several matters were resolved informally by the Chair without the need for the filing of a formal application for arbitration. The Rules for Mediation and Arbitration are available on the CBA's Web site.

The Committee appreciates the support of the Bar and the Committee volunteers, and especially recognizes Marie Langenfeld, the CBA professional managing the Bar Association activities in the Committee's important work.

SECTION AND COMMITTEE OVERSIGHT COMMITTEE

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 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: Ira W. Bloom, Suzanne E. Caron, Barbara J. Collins, Stephen J. Curley, Jennifer S. Das, Hon. Charles T. Lee, John R. Logan, Brian P. Rice, Howard B. Schiller, Tushar G. Shah, Jeffrey M. Sklarz, Alexis N. Smith, Amy E. Todisco, Jonathan S. Weiner. The committee was originally created in December 2010 by CBA President Ralph Monaco.

This Bar year the Committee has operated largely through five subcommittees although it did meet in person for an initial plenary session on November 1, 2012. The five subcommittees consist of the following:

House of Delegates Rules of Procedure: To review the existing House rules and propose revisions as needed and to consider developing Rules of Procedure for the Board of Governors.

Coordination of Governance Documents: To identify overlapping and contradictory provisions, draft revisions, and propose reallocation of provisions among these documents.

Administrative Committees: To review the status of all CBA administrative committees, including those established by the Constitution, to identify whether each such committee should continue, be modified or be eliminated, and whether each such Committee should be “Constitutionalized.”

Unicameral versus Bicameral Governing Body: To revisit this important issue and recommend any changes, including possible retention or redesign of the existing arrangements, as well as the process for selection of officers and the overall governance structure of the CBA.

Section Treasuries: To examine the existing provisions that control the disposition and use of Section treasuries, including the question of imposing a limit on the amounts held therein.

The subcommittee on Administrative Committees has prepared and forwarded to the Executive Committee a 23 page memorandum with recommendations regarding each Administrative Committee of the CBA. This subcommittee was originally chaired by Charles T. Lee; since his appointment to the Superior Court bench, Jonathan Weiner has served as chair.

The subcommittee on Unicameral versus Bicameral Governing Body has prepared a preliminary outline of its recommendations; it expects to prepare a formal report to the Executive Committee before the end of this Bar year. This subcommittee is chaired by Stephen Curley.

The other subcommittees have undertaken their assigned tasks with enthusiasm and expect to provide their recommendations to the Executive Committee in the future.

STANDARDS OF TITLE, STANDING COMMITTEE ON

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

The Committee has completed its work on a new chapter addressing title issues encountered in the area of leaseholds, and the formal approval process has begun. It is anticipated that this new chapter will obtain final approval in the fall. Also, the Committee has completed 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 has begun work on a new chapter addressing conveyances by powers of attorney.

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:

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

UNAUTHORIZED PRACTICE OF LAW COMMITTEE

CARL M. PORTO, CHAIR

PURPOSE

The Unauthorized Practice of Law (UPL) Committee receives inquires and complaints regarding various UPL issues from admitted Connecticut attorneys and attorneys admitted in other jurisdictions, as well as others not admitted to the practice of law. Complaints are referred to the Office of the Chief Disciplinary Counsel when appropriate. Inquiries are responded to and, when requested or deemed appropriate by the UPL Committee, a written opinion is issued.

ANNUAL REPORT

The Unauthorized Practice of Law Committee continues to receive inquires, complaints, and requests for information regarding what does and does not constitute the unauthorized practice of law in the State of Connecticut. When appropriate, the UPL Committee publishes written “informal opinions” that are now available on the Connecticut Bar Associate (CBA) Web site. The UPL Committee also responds to inquiries from attorneys from other jurisdictions who are not admitted in Connecticut, regarding what they can and cannot do in Connecticut.

The UPL Committee is currently engaged in a self-examination process—reviewing how the committee meets and discharges its responsibilities—and, thereafter, will develop a strategic plan detailing how it can better serve the members of the CBA. The leadership of the CBA has asked the UPL Committee to consider if the duties of the UPL Committee could or should be merged with other selected CBA committees. After careful thought and discussion, the UPL Committee concluded that given its unique CBA constitutional responsibilities, the UPL Committee should remain separate and distinct; however, cooperating and coordinating with other CBA Committees whenever possible.

At the request of the Task Force on Unauthorized Practice of Law in Connecticut Administrative Agencies, chaired by UPL Committee member Burton B. Cohen, the UPL Committee is currently reviewing the issue of whether out-of-state private practice attorneys who are not admitted to practice in Connecticut—and who are representing clients in formal matters and proceedings before Connecticut state agencies—are engaged in the unauthorized practice of law. As a result of the Task Force’s report, the issue is also before the CBA to determine what action—if any—the CBA should take to address this issue.

The UPL Committee and the Office of Chief Disciplinary Counsel continue to work closely on UPL issues, and the UPL Committee refers complaints and inquiries that involve UPL issues to that office for review, investigation, and enforcement when necessary. The overwhelming number inquires received by the UPL Committee still concern services offered by out-of-state attorneys who are not admitted in Connecticut, and who are wishing to represent Connecticut clients in various aspects of Connecticut commercial and real estate transactions.

The UPL 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. For the first time after five attempts, the bill has passed the Senate and is now before the House. The UPL Committee also supports a proposed bill that prevents notaries from holding themselves out as attorneys.

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

VETERANS AND MILITARY AFFAIRS COMMITTEE

ROGER L. CROSSLAND, CHAIR

PURPOSE

The Veterans and Military Affairs Committee (VMAC) coordinates CBA legal assistance (1) to actively study military personnel residing in the state and Connecticut residents stationed outside the state and the military legal assistance staffs which serve them; and (2) to resolve legal problems facing any of Connecticut's military reservists and veterans.

ANNUAL REPORT

Meetings

The VMAC held four dinner meetings this Bar year, each with a guest speaker, and each achieving about 20 percent attendance.

In September, Member Margaret Middleton, Executive Director of the Connecticut Veterans Legal Center (CVLC)—a 501(c) (3) corporation— provided the Committee with a slide overview of CVLC's activities and categories of legal issues addressed with the assistance of member Adam Dworkin.

In November, Guests LT Mark Devry, USN; LT Scott Simpson, USN; AUSA Paul McConnell and AUSA David Nelson, provided a team presentation on the Military Lending Act (MLA), Uniformed Services Employment and Reemployment Rights Act (USERRA), and the Americans with Disabilities Act (ADA).

In January, singularly well-qualified member and CBA President, Barry Hawkins—who helped draft Uniform Military and Overseas Voters Act (UMOVA)—held forth on the history of the uniform act and its value as a Connecticut statute.

In May, members Sharon Pope and Matt Stillman conducted an open CLE dinner meeting entitled "Issue Spotting for a Veteran's Estate Plan."

VMAC treasurer Eric Miller assured the quid pro quo nature of meals and payments were happily synchronized.

CLE

The VMAC benefited greatly this year from its merger with the CBA Task Force on Veterans Assistance. The Task Force hosted an accreditation program in the fall of 2012, aimed at developing a cadre of certified Veterans Service Officers (VSOs) to advise veterans of their rights as veterans.

Sharon Pope continued to press the objectives of the Task Force's work providing a CLE program entitled "Issue Spotting for a Veteran's Estate Plan."

Legislative Efforts

The VMAC voted to support and then worked toward Connecticut enacting the Uniform Military and Overseas Voting Act (UMOVA) statute on military voting in Connecticut elections (supplementing the rights already extended to service men and women in federal elections) before the legislature. It is currently on the House Calendar as HB-6111 and received a public hearing. Emily Trudeau—a veteran, VMAC member, and VMAC legislative liaison—testified at the public hearing to great effect.

Volunteer Activities

The VMAC continued with efforts to identify and assist individual veteran and active duty "clients" drawing from, by way of a representative sampling: Michael Peck, American Legion; John Bozzi, Statewide Legal Services;

Margaret Middleton, Connecticut Veterans Legal Center; and Jonathon Klein, sole practitioner. VMAC does not perceive itself as an exclusively pro bono organization and welcomes members who help our target constituency for compensation. Historically its most visible activities have been voluntary, but the committee aims to address both approaches. This year it worked to spread the word through contact and participation in activities such as the Veterans Stand-down (Fran Brady) and the Connecticut Veterans Legal Center (Margaret Middleton).

The VMAC continued with efforts to identify and assist individual veteran and active duty “clients” drawing from, by way of a representative sampling: Michael Peck at the American Legion of the Connecticut Department, Hartford; John Bozzi at Statewide Legal Services, Middletown; Connecticut Veterans Legal Center, and Jonathon J. Klein, sole practitioner. VMAC does not perceive itself as an exclusively pro bono organization and welcomes members who help our target constituency for compensation. Historically, its most visible activities have been voluntary; but the Committee aims to address both approaches. This year it worked to spread the word through contact and participation in activities such as the Connecticut Department of Veterans Affairs’ Stand Down event on September 21, 2012 in Rocky Hill (Fran Brady) and the Connecticut Veterans Legal Center (Margaret Middleton).

Membership

The VMAC increased its membership by 23 percent, despite losing several members at the outset of the year. In the preceding year, VMAC held few formal meetings, and this increase in membership can be credited to a more aggressive meeting and e-mail communication tempo.

I recommend the Committee strive to increase its membership further since there is a “critical mass” to all Committee events. The number of veteran/lawyers prompted by the military draft in past decades is not likely to be replicated and the Committee must strive to recruit and train non-veteran lawyers to fill the vacuum. This is an opportune time to rebuild, especially now with the sacrifices of our veterans still so fresh in the public mind. The times have provided us with a demand for able advocates; our professional tradition requires we must develop a knowledgeable supply.

WOMEN IN LAW COMMITTEE

ANDREA BARTON REEVES AND ALAINE C. DOOLAN, CO-CHAIRS

PURPOSE

The purpose of this Committee is: 1) to monitor the progress and enhance the status and opportunities available to women in the legal profession; 2) to provide women attorneys in Connecticut with an opportunity to share concerns, communicate, and network with one another in a supportive forum; and 3) to promote the participation of the Connecticut Bar Association in substantive areas of law and legislation that present issues of particular concern to women in the profession, and to those who seek legal services.

ANNUAL REPORT

The Women in the Law Committee (WILC) ends another successful year with a growth in its membership and a successful Pathways Dinner, co-sponsored with the Young Lawyers Section. The Committee recognized Maureen Danehy Cox, of Carmody & Torrance LLP, with the Ladder Award—an award that recognizes one attorney whose extraordinary efforts help foster the careers of other new women attorneys. Cox was cited by the Committee for exemplifying what it means to be a woman attorney and what she has accomplished in the course of her distinguished 30-year career. She was the first woman president of the Connecticut Defense Lawyers Association and the first woman in the country to be elected president of a state chapter. This year's Pathways Dinner also featured Professor Willajean F. McLean, Interim Dean of University of Connecticut School of Law, as its keynote speaker. More than 95 people attended the event, held for the second year at the Middletown Inn.

This upcoming 2013-2014 Bar year, the Women in the Law Committee will become a fully recognized Section of the CBA. As a Section, WILC will have an appointed Executive Committee and plan programming in concert with the Young Lawyers Section WILC and other CBA Sections and Committees.

STANDING COMMITTEE ON WORKERS' COMPENSATION CERTIFICATION

MICHAEL R. KERIN, CHAIR

PURPOSE

The Standing Committee on Workers' Compensation Certification is responsible for administering the Connecticut Bar Association's (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 offered a test on May 11, 2012. The Examination Committee recommended to the Standing Committee that seven of the candidates be certified as Workers' Compensation Specialists. The Standing Committee adopted this recommendation and awarded certificates to the seven candidates at the Fall Workers' Compensation Section meeting in October.

The Examination Committee also reviewed the applications of the seven candidates who applied for recertification as Board Certified Specialists in Workers' Compensation and will submit its list of recommended applicants to the Standing Committee for approval. The Standing Committee will meet on May 22, 2013 to consider the recommendations of the Examination Committee. The recertification certificates will be issued at the CBA's 2013 Annual Meeting on June 17, 2013.

There are currently 54 Board Certified Workers' Compensation Specialists in the State of Connecticut. In November 2013, the Examination Committee will disseminate Notices of Intent to prospective applicants to take the next examination to be administered in May of 2014. The Notices of Intent are due back by prospective applicants in January 2014.

During the 2012-2013 Bar year, the Standing Committee's staff has been involved—as it has every year—in assisting other Sections of the CBA that are considering, exploring, or attempting to qualify other recognized specialties for certification in the State of Connecticut.

