

CONNECTICUT BAR ASSOCIATION
ANNUAL REPORT
of Sections and Committees

2013–2014

Connecticut Bar Association

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CONNECTICUT BAR ASSOCIATION

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2013–2014

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ANNUAL REPORT OF THE PRESIDENT 2013-2014

KIMBERLY A. KNOX, PRESIDENT

ANNUAL REPORT

Introduction

A key presidential objective this bar year was to ensure that the CBA remained “new and relevant” to members of the legal profession. Each of the objectives was aimed at improving the CBA’s delivery of core missions. In striving for “relevance,” the CBA remains the one voice of the profession that advocates the rule of law and access to justice across all practice areas. The opportunity to be part of a robust legislative agenda, which for the most part originates from our sections, was inspiring. Through the legislative process, the CBA impacts and protects the public interest in an array of laws and regulations. The CBA also had the opportunity to participate in media releases addressing the reappointment of judges, which furthered the critically important message that our rule of law is based on a continued, strong, and impartial judicial branch of government. In pursuing the theme of “new,” the CBA undertook deliberate changes, such as improved support to sections and committees and enhanced membership services and member benefits. I had the opportunity to speak at the new attorney swearing-in ceremonies in November 2012 and 2013 and June 2014. I welcomed their active participation in the CBA. With this new and younger generation of tech smart members joining the CBA, I was even more committed to improving the CBA’s communication with its members by investing in long overdue and needed technology. A preview of the “new” face of the CBA will be shown at the Connecticut Legal Conference. A year was not enough time. I have tried my best—I hope it made a difference.

I am deeply grateful for the support and guidance of the volunteer leaders, including many past CBA presidents. I must acknowledge the chairs of the sections and committees, which are the backbone of the CBA. These groups resonate with vitality, accomplish hundreds of projects every year and, most significantly, promote and support civility and professionalism amongst our members. I also had the support and guidance of the officers, a Board of Governors, and House of Delegates who allowed me the opportunity to pursue my vision for the CBA. I give special thanks to Douglas S. Brown who took a leap of faith in accepting the offer to serve as acting executive director, and eventually the offer of executive director, beginning July 1, 2014. He has had the skill, knowledge and fortitude to make my presidential goals a reality. Additionally, I received the support of a terrific CBA staff.

I have the utmost confidence that moving forward, the CBA is in good hands. Mark Dubois, Bill Clendenen, and Monte Frank will each bring his own style, qualities, and strengths to the leadership, but with a shared vision for the success of the CBA and its individual members. Thank you for the honor and privilege to have served as your president.

This report is set forth in the following order: governance and finance; sections and committees; task force reports and initiatives; and external collaboration with the American Bar Association, the Connecticut Bar Foundation, and state government.

House of Delegates and Elections

The House of Delegates met four times on October 15, 2013; January 13, 2014; March 10, 2014; and June 16, 2014. In addition to the recurring business matters addressing issues of membership, finance,

and individual policy issues, the House had a robust legislative agenda to discuss, debate, and vote on. The House agendas are available on the CBA website.

The House of Delegates Election Committee, chaired by Ira W. Bloom, provided an analysis of the CBA House of Delegate seats and terms, as part of a two-year process of updating the delegate seats. In 2013, the committee recommended that every six years the committee should be charged with reviewing the district makeup and any need to reapportion the delegates as addressed in Section 1 of the CBA Constitution. In 2013, there were 44 elected House seats with staggered terms. Several seats were vacant or had expired or were about to expire commencing in 2013 to the present date due to resignations, appointments as an association officer, or lack of attendance at meetings. In May 2014, elections were held for the delegate seats in accordance with the applicable constitutional provisions completing the process of curing the issues of delegate seat and terms.

Board of Governors

The Board of Governors held regularly scheduled meetings on September 16, 2013; November 12, 2013; December 16, 2013; February 10, 2014; April 15, 2014; and May 12, 2014. In addition to the recurring business matters addressing issues of membership and finance, the Board acted on the nomination of ABA delegates, and matters of business such as budget review and approval, corporate resolution review and approval, audit reports. The Board also considered and approved nominees to the Connecticut Bar Foundation and acted on updates to section by-laws. The Board agendas are available on the CBA website.

Finances and Budget Planning

While the meaning of financial health for nonprofits can be varied, there is a general consensus that long-term sustainability of nonprofit organizations requires some key factors: operating within budget, diversifying and considering emerging revenue sources, and maintaining a deliberate, not necessarily equal, balance between expenditures on the business side and expenditures on program services.

The CBA, a nonprofit organization, underwent difficult financial times as did nearly every nonprofit organization since the economic downturn in 2008. It was a time for fiscal prudence and constraint and the association acted accordingly. During the 2012-2013 bar year, the CBA prioritized its effort to achieve financial stability and successfully operated within the budget approved by its Board of Governors and retired a pre-existing operating deficit. In planning for the CBA bar year 2013-2014, the association commenced the year with sufficient funding to support a capital expenditure line item along with funding of a capital reserve fund to track depreciation adjustments of the CBA Law Center building and to address some long neglected and deferred maintenance and replacement issues. In particular, the association made strategic fiscal planning for long neglected technology infrastructure and replacement of an obsolescent association management system.

During this bar year, the CBA updated the technology infrastructure necessary for the effective delivery of membership services. The CBA operated within the confines of a structured budget addressing critically overdue updates to infrastructure, technology, and building maintenance. In December 2013, the Board of Governors approved an investment policy; authorized a Treasurer's Advisory Committee to issue requests for proposals to implement the investment policy; perform due diligence; and make a recommendation on an investment plan, which has been established as part of the overall financial plan. The budget planning for 2014-2015 was approved unanimously by the Board in April 2014.

Membership and Swearing-in Ceremony of New Attorneys

The admission of new attorneys took place on November 8, 2013 at the Connecticut Supreme Court. On behalf of the CBA, I welcomed the new attorneys and urged them to join the CBA, emphasizing the benefits and opportunities for professional development, networking, and working on beneficial programs and projects. The November 2013 new attorneys were the second group to benefit from the free membership for new admittees, which was instituted by the Board of Governors April 2013. On November 19th, the Young Lawyers Section held a Pro Bono Fair and New Admittee Reception at the Mark Twain House & Museum as a social and information session for the new admittees. On June 9, 2014, I again welcomed new attorneys to the bar. A reception co-sponsored by the CBA followed the event.

Membership and Enhanced and Improved Membership Benefits

In December 2015, I sent a letter to all CBA members announcing new and improved membership benefits. In addition to the variety of benefits previously received by the CBA members, we added even more! The e-letter set forth with clarity the value of the benefit in terms of discount percentages. Also, for the first time, we provided one-click links to the affinity vendors. A complete list of membership benefits was provided and included vendors such as Brooks Brothers, OfficeMax, HP, and Kronholm Insurance Services. The CBA continues to add more benefits, so check the CBA website for the most up-to-date list. Coming soon: cell phones, off-site storage, document shredding, etc. Members are welcome to make suggestions for additional benefits by contacting the CBA Member Service Center at mssc@ctbar.org.

2013 Leadership Retreat

The CBA Leadership Retreat, which included all members of the House of Delegates, Board of Governors, section chairs, and the newly formed Long Range Planning Committee, chaired by past CBA President Keith Bradoc Gallant, was held in September 2013. The objectives of the retreat were multifaceted.

First, the attendees were introduced to the CBA staff and provided with the available resources and tools offered by the CBA to ensure a successful leadership year. Second, in a plenary session facilitated by Elizabeth Derrico, associate director, ABA Division for Bar Services, the attendees developed leadership strategies and goals for the upcoming year. Finally, the retreat focused on identifying the key reasons that CBA membership is valuable and demonstrated how the leadership could deliver the message of value to members and non-members.

Additionally, the newly formed Long Range Planning Committee members attended and sought input from the members of the HOD, the BOG, and the section chairs on developing a strategic plan for the CBA for the upcoming three to five years.

CBA Annual Awards Celebration

The CBA's awards dinner was established as a separate event this year. Historically, the awards dinner was part of the Annual Meeting. For a variety of reasons, it was determined that the awards celebration could be more successful and indeed more enjoyable as a dedicated event. The CBA Annual Awards Celebration, which was entitled "Celebrate with the Stars!" was held on April 3, 2014. The event was a success anecdotally and a sold out event.

The award recipients for the 2013-2014 bar year were as follows: Henry J. Naruk Judiciary Award (for service): The Honorable Susan B. Handy; John Eldred Shields Distinguished Professional Service Award (for commitment): Harry N. Mazadoorian, National ADR Authority; Charles J. Parker Legal Services Award (for dedication): Diane W. Whitney of Pullman & Comley LLC; Tapping Reeve Legal Educator Award (for education): Professor Quintin Johnstone of Yale Law School; Citizen of the Law Award (for inspiration): Christina M. Storm of Lawyers Without Borders Inc.; The Honorable Anthony V. DeMayo Pro Bono Award (for devotion): Sean P. Barrett of Billings & Barrett LLC, Joseph Harry Bartozzi of O.F. Mossberg & Sons, Inc., James O. Craven of Wiggin and Dana LLP, Thomas J. Dufour of The Law Office of Thomas J. Dufour LLC, and Peter D. Goselin of The Law Office of Peter Goselin.

CBA's Connecticut Legal Conference

The Connecticut Legal Conference, formerly known as the CBA Annual Meeting, is scheduled for June 16, 2014 to be held at the Connecticut Convention Center in Hartford. It is the largest gathering of legal professionals in the state and offers 50 CLE offerings, the largest number of programs in Connecticut. The Connecticut Legal Conference is also offering a new track format allowing attendees to choose individual sessions across 12 practice or topic areas. The CBA Annual Luncheon will feature the presentation of the Edward F. Hennessey Award to Attorney Margaret Mason and the passing of the gavel to incoming CBA President Mark Dubois as well as the installation of the 2014-2015 officers.

Continuing Legal Education

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Over the 2013-2014 year, the Connecticut Bar Association offered over 35 Continuing Legal Education seminars, covering a wide variety of subjects. These courses were generally offered at the CBA Law Center in New Britain, but other locations throughout the state, including the UConn Law School and various courthouses, were also used. In addition, the CLE department supported CLE offerings at several section meetings.

The seminars offered served over 1800 attendees. Attendance at each event varied from 110 at the Estate and Long-term Care Planning seminar in February and 94 at Real Estate for Probate Lawyers in April, to a more modest 19 at the Interplay of Bankruptcy in Personal Injury and Workers' Compensation Claims in March and 29 at the Construction Law Annual Update in May. Lower attendance in no way reflects on the efforts and quality of the professional contributions to our CLE by our outstanding member faculty.

In addition to traditional classroom format seminars, CBA presented the Federal Tax Institute of New England in September and collaborated with the Connecticut Judicial Branch and the Greater Bridgeport Bar Association to present the Bench-Bar Symposium on Professionalism.

As the CBA's Connecticut Legal Conference approaches on June 16, offering 50 seminars, plans for the CLE offerings for 2014-2015 are underway, and include a training for veterans affairs attorneys in September, a seminar from the Commercial Law Section on recent legislative developments, and the annual Federal Tax Institute in October. Scheduling is being done with a renewed proactive approach, bearing in mind our responsibilities to our members to provide high-quality education to serve their professional development needs.

Amicus Briefs

The Connecticut Supreme Court invited several sections of the CBA to file an amicus curiae brief on behalf of the plaintiff in *Mary H. Kortner, Administratrix of the Estate of Caroline Kendall Kortner v. Craig Martise*. The Elder Law Section, Estates and Probate Section, and the Family Law Section worked jointly together, spearheaded by Attorney Sandra Sherlock White of the Elder Law Section, to prepare the necessary briefs.

Sections

The CBA has 43 sections. Generally, a CBA member will hold membership on one or multiple sections that reflects their practice areas and interests. The sections provide continuous events and activities throughout the year including regular business meetings, continuing legal education, and networking events. The association most recently approved as new sections: LGBT (2013), Professional Discipline (2013), Women in the Law (2013), Commercial Finance (2013), Media and the Law (2013), and Veterans and Military Affairs (2014). Some prior committees were elevated to section status in an effort to encourage increased participation by members, to promote governance structure and succession planning through approved section by-laws, and to increase available resources and opportunities.

In addition to the new sections, many existing sections reviewed and updated their section bylaws. During the year, the Board of Governors approved by-law revisions proffered by the following sections: Media and the Law; Franchise, Distribution, and Dealer Law; Consumer Law; Litigation; Law Librarians; Antitrust and Trade Regulation; and Commercial Law and Bankruptcy.

The accomplishments of the sections are remarkable and commendable. Please review the separate Section reports. I appreciate and applaud the section chair leadership during the 2013-2014 bar year.

Committees

There are currently 24 committees of the CBA. This year many committees held joint meetings in an effort to promote unity and enhance participation amongst the members. Several committees also reached out to various sections for speakers at their meetings. As a result of our members working together and joining forces, attendance at meetings increased. Please review the separate committee reports. I appreciate and applaud the committee chair leadership during the 2013-2014 bar year. As committees are either constitution-based or assist the House and Board, they warrant further mention.

Diversity Committee

The CBA continues to promote its mission of diversity throughout its membership. The CBA worked collaboratively with the affinity bars in Connecticut both by encouraging their participation in the CBA Council of Bar Presidents as well as by supporting and attending affinity bar events during the bar year. CBA officer representation was present at all significant affinity bar events.

As president, I met in person with most of the committee and section chairs and by conference call with the remaining chairs during the appointment process. During that process, I noted the importance and value of encouraging and ensuring appointment of a diverse membership within the Section executive committees and the CBA committees. I am delighted to report that the CBA's awareness of diversity within the sections has increased and that the CBA anecdotally enjoys an increasingly higher percentage of diversity members.

Additionally, the CBA also had the opportunity to address the critical role and importance of diversity in the CBA volunteer membership in an article published by the Connecticut Law Tribune on July 1, 2013, in an op-ed on November 25, 2013 and most recently in second op-ed on April 2014.

Fair and Impartial Courts Committee

The Fair and Impartial Courts Committee was established by the Connecticut Bar Association to assist Connecticut federal and state judges when confronted by systemic attacks on their proper functions and from unfair and inappropriate criticism or assault, whether from individuals, organizations, the press or other sources, which are political or private in nature and which undermine the independence and fairness of the judicial system. During the bar year, the Committee assisted the CBA leadership in responding to criticism of family court judges in the media and in the reappointment process. The press release, which was distributed to the CBA membership, was entitled: "In Defense of Family Court Judges: the Reappointment Process Should not be a Tool for Political Debate."

Federal Judiciary Committee

The CBA Federal Judiciary Committee was invited to offer its input in the qualifications of the nominee Professor Jeffrey A. Meyer, and after thorough deliberations fully supported his appointment to the federal bench. He was confirmed and appointed to become Connecticut's newest U.S. District Court Judge in 2013. Meyer was nominated by President Obama at the request of Senator Blumenthal in June 2012.

Liaison with State Government Committee

This committee was reconstituted after a two-year respite. Under Chair John King, the committee held a meeting in March 2014 bringing together key members of the three branches of government, including the governor's counsel, the attorney general, the chief state attorney, the chief public defender, the CT Legislative Judiciary committee co-chairs, the majority senate and representative leaders, the chief justice, to address collaborative issues between the three branches of government, pending legislation before the Judiciary Committee affecting the judicial branch and issues of the day, including GAL reform and the process of judicial appointments and reappointments.

Legislative Policy and Review Committee & Legislative Agenda

The Legislative Policy and Review Committee (LPRC) had an extraordinarily busy year with one of the most extensive legislative agendas of recent history. Some key issues that the CBA actively supported included support of a bill to provide continued funding to legal aid organizations; amendments to the CT General Statutes dealing with the unauthorized practice of law, the adoption of an online database to make state agency regulations available to the public online. The passage of Gov. Bill 31 enabling the continued funding for the delivery of legal services to the poor was a significant accomplishment. The CBA legislative agenda for 2013-2014 is set forth in the LPRC report and on the CBA website under the tab entitled Governmental Affairs.

In addition, the LPRC worked on section positions in rulemaking and regulatory agendas. Most notable were proposed amendments to the Connecticut Practice Book providing a cy pres provision.

Pro Bono Committee

The CBA Pro Bono Committee charge was expanded in 2013-2014 to conform to the Rules of Professional Conduct, Rule 6.1 and to give greater opportunities to CBA members to participate in pro bono activities. The charge, as revised, now provides that the CBA Pro Bono Committee should

strive to “promote the public interest through the advancement of justice and the protection of liberty,” and more specifically, “facilitate the delivery of competent legal services to the public particularly those in greatest need.” Constitution of the CBA, Art. II. The Committee should investigate, implement, and otherwise provide opportunities for members to render public interest legal service, which includes “providing professional legal services at no fee or a reduced fee to persons of limited means” or such service as defined in Rules of Professional Conduct, Rule 6.1. A most important component of the Committee is the Pro Bono Network, which is a collaboration between the Connecticut Bar Association and Connecticut’s legal service organizations. The membership was extended to law firm pro bono coordinators/managers and other interested CBA members. In addition, each CBA section chairperson was asked to appoint a pro bono coordinator to work with the CBA on a pro bono project. A modest means initiative, which will bring together persons of modest means with lawyers willing to perform legal services for reduced fees, is currently being developed by the YLS and the Pro Bono Committee.

Task Forces 2013-2014

CBA Constitution Task Force

The CBA Constitution was approved with revisions on January 17, 2014.

During my ladder succession years to president, it was apparent that the CBA Constitution, which had been amended many times during the past 65 years, would benefit from revisions for purpose of clarity and ease of reference.

I appointed a task force consisting of Wesley W. Horton, Ira Bloom, and Thomas Gugliotti to recommend “clean-up” revisions to the constitution. The task force reported to the House at the October 2013 meeting with proposed revisions. The HOD deliberated on the report and proposed revisions and, after a lively debate, tabled the matter. On January 17, 2014, the task force reported to the HOD with non-substantive revisions to the CBA constitution, which were approved. The CBA Constitution is effective as approved on January 17, 2014.

The HOD, then, requested that the Constitution Task Force consider substantive changes and make recommendations for further consideration. In addition, the Diversity Committee requested substantive changes. By motion of the House, these requests were assigned to the existing Constitution Task Force with the directive that the Task Force report to the HOD at the March 6, 2014 meeting with a proposed plan. In effect, the Constitution Task Force became a Constitution Committee acting at the direction of the House of Delegates. The Constitution Committee thereafter issued a report addressed to the president with a proposed outline for identified topics for discussion, a request for additional areas for discussion, and a proposed plan and schedule for seeking broad input from the membership at large. The Constitution Committee report was distributed to the House of Delegates for consideration at the March 2014 meeting, where it was reported on, considered, and approved. The committee accepted written comments from the CBA membership at large and held an in person open forum at the CBA office in April 2014. The committee will report to the House of Delegates at its June 2014 meeting.

Long Range Planning Task Force

This task force, chaired by Keith Bradoc Gallant, was created for the purpose of determining and prioritizing a strategic plan for the CBA for the upcoming three-to-five years. The task force members included: Livia DeFilippis Barndollar, Ira Bloom, William Clendenen, Stephen Curley, Mark Dubois, Rosemary Giuliano, Sung-Ho Hwang, Ralph Monaco, Janet Van Tassel, and Jonathan Weiner. The task

force was provided no focus or agenda, but rather was charged with identifying key issues, developing a plan to address identified issues with an incremental timeline to implement the plan(s). With an extraordinary and frequent meeting schedule, this task force delivered a strategic plan to the president for distribution to the House of Delegates at its March 2014 meeting. The report set forth in detail the guiding principles, the process, the CBA mission and goals, and five strategic goals addressing, in a summary form, membership, educational curriculum, pro bono and community service, lobbying and advocacy, and collaboration with other bar associations and related organizations. The plan will provide focus and guidance to the CBA leadership for the upcoming three years.

CBA Headquarters Building Task Force

This task force, chaired by Louis M. Pepe, included Carl M. Porto, Thomas Gugliotti, and Jed Horwitt, was charged with reviewing and analyzing the current status of the 45-year-old CBA headquarters in New Britain, including financial planning, identifying and prioritizing maintenance concerns, addressing capital improvements, and related matters. The task force was further requested to provide a strategic plan for future financing, maintenance, and use of the building. After expending much time and effort, the task force submitted its initial report to the president on September 5, 2013. The report of the Building Task Force was distributed to the Board of Governors for guidance in anticipation of future budget planning and allocation of financial resources in the near future. The acting executive director in May 2014 provided the Board with updated information regarding the building in direct follow up to the task force report.

Membership Software and Hardware Task Force

This Task Force consisting of Daniel Schwartz, John Zaccaro, Brendon Levesque, and acting Executive Director Douglas S. Brown, was established for the purpose of assisting the CBA staff in reviewing, analyzing and considering an update of the current CBA software and hardware to enable it to provide the best possible services to its membership and to bring the association's technology into conformity with the 21st century. After considerable investigation, the task force determined there was both an immediate need to update the current computer hardware infrastructure used by the CBA, to address technology support issues, and to address critically needed updates to the membership software program. The task force recommendations were reported to the Board of Governors. The recommendation for new computers, which was part of the fiscal year budget, were acted upon and completed in December 2013. In addition, the task force recommended implementation of new membership software, which was purchased and developed during the spring 2014. The implementation process was done with the highly capable assistance of the task force members. All technology improvements were completed within budget. The new CBA website and membership access will be launched during the summer 2014.

Continuing Legal Education Advisory Task Force

The CLE Advisory Task Force, chaired by Jonathan M. Shapiro and Timothy A. Diemand, and members Mark Dubois, Samuel Schoonmaker, Kelly Reardon, Julie Loughran and Aidan Welsh, was established for the purpose of considering and amending current CBA policies and practices, if any, for continuing legal education or developing such policies and practices which shall be consistent with the Association's constitutional purpose to provide continuing legal education and the Association's authorized position on MCLE and the Association's annual budget as approved by the Board of Governors. Some of the directives to the Task Force were to develop, consider and recommend opportunities for CLE programming with the Connecticut Bar Foundation, metro and affinity bars; explore innovative and efficient communication concerning developments in the law; explore

available technologies to deliver timely developments in the law; investigate and determine national trends in CLE so the CBA can compete in current or prevailing market conditions. The expanse of the report is broad, so these are merely examples of matters considered by the task force. It investigated and analyzed the market for CLE in Connecticut. It applied member surveys to its analysis on the importance of CLE and preferred scheduling and subject areas for CLE programs. It considered strategic marketing for CBA CLE, including collaboration with other bars.

The task force proffered 12 final recommendations. It proposed that the CBA establish a set curriculum and calendar of education offerings based on past CLE successes. It recommended a process that would include a deliberate consideration of membership interest, a budget proposal, and a review of pending calendar events (i.e., to avoid conflicts or to encourage co-sponsoring opportunities). Additionally, the need for greater use of technology in the delivery of continuing legal education events was noted in several recommendations. The CLE Task Force report, which was developed by CBA members for its members, will provide important guidance to the CBA staff in the future development, planning, and implementation of CLE programming to ensure successful, relevant, and beneficial future education programs, events, and legal institutes.

Task Force on the Future of Legal Education and Standards of Admission

This task force, chaired by the Honorable Kenneth Shluger, was established in July 2013 and due to a high level of interest expanded in membership throughout the bar year. The task force was established due to the fact that across the United States there were many discussions and several comprehensive studies as to whether newly admitted lawyers have been adequately prepared for the practice of law. This task force was charged with reviewing relevant surveys and reports, including but not limited to the “ABA Task Force on the Future of Legal Education” or other state bar association reports; to develop recommendations for including more practice-centered instruction in the law school curriculum; and to consider changes to the rules of practice governing the Connecticut Bar examination and criteria, which may be necessary to enable law schools to modify their curriculum to ensure that curriculums meet future opportunities for employment and that newly admitted lawyers were adequately prepared for the practice of law. As of the writing of this President’s Report, the task force report was nearly completed. It will be published separately.

Law Librarians Database Evaluation Project/Task Force

At the request of the CBA leadership, Jonathan Stock, chair of the CBA Law Librarians Section, spearheaded a project to research and thoroughly evaluate the strengths and weaknesses of databases dealing with cases and codes that would be the most beneficial to the CBA membership. With the assistance of the Yale Law School Empirical Research Librarian, the UConn School of Law reference librarian, and the head of Reference Services, an in-depth analysis was provided to the CBA in October 2013 proving to be an invaluable tool in the selection of the appropriate cases and codes software for the CBA and its members. The selection was deferred to allow the collaboration with the installation of the new membership services program.

ABA Annual and Mid-year Meetings

The Connecticut delegation, including delegates appointed by the Board of Governors to represent the interests of Connecticut, convened at the ABA Annual House of Delegates meeting in August 2013 and ABA mid-year meeting in February 2014.

ABA Days

In April 2014, the CBA president, CBA House of Delegate member who is also the Connecticut ABA Days Captain, and the ABA State Delegate-at-large took part in a two-day event called ABA Days in Washington D.C. The Connecticut attorneys met with each member or staff member of the Connecticut Congressional Delegation and presented the ABA initiatives and agenda. One of the critical agenda items continues to be funding needs for the Legal Services Corporation, which includes Connecticut.

Bench/Bar Symposium on Professionalism

The 2013 Bench/Bar Symposium on Professionalism was held on November 1st in collaboration with the Greater Bridgeport Bar Association and the State of Connecticut Judicial Branch. The keynote speaker was the Honorable Patrick L. Carroll III, Chief Court Administrator of the Judicial District of Fairfield. The CBA president was also an invited presenter. The discussions focused on how the bench and the bar can work together to elevate the level of professionalism in the legal practice.

CT Bar Foundation

The association worked in collaboration with the foundation throughout the year. In conjunction with the CT Bar Foundation, the CBA participated in a series of roundtables to promote open discussion and idea sharing with some of the leaders of the CBA, members of the judiciary, and law schools on "What it means to be a lawyer today?" In October 2013, the CBA collaborated with the CT Bar Foundation and Lawyers Concerned for Lawyers Connecticut, Inc. in hosting "The Impaired Lawyer Symposium." A diversified group of professionals from pertinent disciplines led the panels through discussions about identifying impairment, intervening with impaired lawyers and judges, and impairment into the future.

Connecticut Judicial Branch Civil Engineering Focus Groups

In August 2013, the CBA received an invitation from Chief Justice Chase T. Rogers and Attorney Joseph D'Alesio, the executive director of Superior Court Operations to meet with various bar groups and organizations for a frank and open discussion about the civil litigation system, including counsel's role in civil litigation, the cost of civil litigation, the impact of more self-represented parties, case management, early intervention and case tracking, the role of alternative dispute resolution, and the unmet civil litigation needs of individuals and small businesses. This focus group was part of a major new initiative of the judicial branch's on-going strategic planning process in re-engineering or reinventing several aspects of our justice system. The meeting was held in November and the following members of the CBA attended: Kimberly Knox, CBA president; William H. Clendenen, Jr., CBA vice president; James Gaston, CBA member of the Board of Governors and House of Delegates; Keith Ainsworth, chair of the Environmental Law Section; Robert Clark, chair of the Consumer Law Section; Proloy Das, member of the Criminal Law Section, Appellate Advocacy Section, Connecticut Bar Journal Board of Editors, and Connecticut Council of Bar Presidents; and James Budinetz, chair of the Litigation Section. The judicial branch met on additional occasions with our representative groups within the CBA, including the CBA YLS and the Solo and Small Firm Practice Management Section.

Modest Means Initiative

The Young Lawyers Section, which has a separate report, has been actively developing a CBA modest means program in collaboration with Connecticut judicial branch and the legal services organizations for the benefit of Connecticut's disadvantaged citizens. It is anticipated that the program would provide access to the legal system for individuals, who are ineligible for legal service organizations' pro bono services which are based on income levels, who cannot afford traditional billing rates. It is anticipated that this will form a beneficial collaboration between CBA members and the Connecticut judicial branch which addresses a public need for equal access to justice.

New England Bar Association

The CBA president-elect and president participated in the meetings of NEBA and serve as directors to its board.

Secretary of State for the "Secretary's Legal Assistance Project"

The Connecticut Bar Association partnered with the Secretary of State for the "Secretary's Legal Assistance Project." CBA volunteer lawyers were trained and on call during the voting hours during the November 2013 Election Day. This was the second annual volunteer program. The service enables Secretary of the State Denise Merrill to have neutral nonpartisan individuals prepared to be dispatched to polling places and to report to her office as needed. This project ensures that the voting rights of all eligible voters are protected by giving the Secretary of the State's office more feet on the ground.

Conclusion

In closing, I am deeply grateful to the CBA members who provided me support, guidance, and wisdom on a daily basis. The CBA took chances and made changes, but always with the improvement of the association and delivery of membership services as the constant focus. I am particularly thankful to Douglas S. Brown, acting executive director. I must give a special note of recognition to incoming President Mark Dubois for his support. It is an honor and privilege to be a lawyer, to be a CBA member, and to have served as CBA president.

By _____
Kimberly A. Knox
President 2013-2014
Connecticut Bar Association
May 23, 2014

The CBA serves members of our legal profession;
Our members serve the public and in doing so protect and preserve the rule of law.

SECTION REPORTS

ADMINISTRATIVE LAW SECTION

WINONA ZIMBERLIN, 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. This year we included two presentations regarding practice before federal agencies.

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 2013-14 year at the CBA's Connecticut Legal Conference, at which the section will host a program that offers topics of interest for young and experienced lawyers, alike.

The section held four meetings. We had a planning meeting for the year, where we discussed the CBA Task Force report arising from the 2012 Rule of Law Conference. At another meeting, Attorney Richard Convider led a discussion regarding practice before the IRS. We also invited the Tax Section.

Attorney Milagros Cruz presented an overview of practicing immigration law.

In our last meeting of the year, we held a joint meeting with the Media and the Law Section. Presenters were Colleen Murphy, executive director of the Freedom of Information Commission and Attorney Mark Sommaruga. Our discussion concerned the Task Force on Privacy, which was formed in the wake of the Newtown tragedy. The task force addressed privacy concerns of the families of the victims.

A subcommittee was appointed to review the bylaws and make recommendations for revisions.

We continue to monitor progress on the proposal to create an Office of Administrative Hearings.

Our section is looking forward to presenting a session at the Connecticut Legal Conference on appealing an administrative decision under the UAPA.

ALTERNATIVE DISPUTE RESOLUTION SECTION

JANE BEDDALL AND JAY H. SANDAK, CO-CHAIRS

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

Co-Chairs: Jane Beddall, Dovetail Resolutions LLC and Jay H. Sandak, Carmody Torrance Sandak & Hennessey LLP

Secretary/Treasurer: Steven Rolnick, Rolnick & Reger

Legislative Liaison: Houston Putnam Lowry, Brown & Welsh PC

Immediate past chair: Houston Putnam Lowry, Brown & Welsh PC

Executive Committee Meetings

September 25, 2013: The Executive Committee met to make plans for the bar year. In light of the small size of the Section, the Executive Committee does not meet separately from the Section aside from a planning session.

Section Activities

In the fall, the Section updated its by-laws. With the assistance of CBA Communications and Marketing Associate Jessica Pace, we designed, distributed and analyzed a survey of Section members to learn more about member demographics and preferences, as well as what members hope to gain from Section membership.

The Section has placed a priority on increasing our age diversity, with a goal of establishing stronger connections with law students interested in ADR. In addition to meeting at Quinnipiac University School of Law (see below), the Section offered to pay for a limited number of law students to attend Section dinner meetings as guests of the Section. Additionally, the Section is offering up to three scholarships to the Connecticut Legal Conference to qualified law students with a demonstrated interest in ADR.

In light of the small size of the Section and the fact that the Section's focus applies to many substantive areas of law, the Section initiated two joint meetings with other CBA Sections.

Harry Mazadoorian, National ADR Authority and much admired Section member, received the John Eldred Shields Distinguished Professional Service Award at the April 3, 2014 CBA Celebrate with the Stars event. A number of active Section members were unable to attend because of a conflict with the spring conference of the ABA Dispute Resolution Section (which Harry helped found). CBA Communications and Marketing Associate Jessica Pace and CBA Graphic Designer Dan Anderson created a personal card for Harry containing the well wishes of individual Section members.

Section Meetings

December 12, 2013: CBA President Kimberly Knox met with the Section and discussed relevant trends in law schools and bar activities.

February 24, 2014: Meeting at Quinnipiac University School of Law with law students in their Society for Dispute Resolution and others interested in ADR. Informal conversation and program on “Hybrid Processes: Helpful or Horrid?”

March 19, 2014: Joint Meeting with Labor and Employment Law Section. Program on “Best Practices in Mediation of Employment Law Disputes,” Moderator Jay H. Sandak, Panelists Gregg Adler, Ethan Levan-Epstein, and Chuck Stohler.

April 22, 2014: Joint meeting with CBA Health Law Section and Connecticut Health Lawyers Association. Program on “Arbitrating and Mediating Health Care Disputes,” Speaker Michelle M. Skipper, Panelists Harry Mazadoorian, William Stempel, and Paul Knag.

CLE

May 8, 2014: “How to Succeed in Arbitration -- The Basics,” with program faculty of Stewart Edelstein, Emanuel Psarakis, and George Royster.

Connecticut Legal Conference

June 16, 2014: The ADR Section will sponsor a session, “Effective Advocacy in Mediation,” with Speakers David Geronemus and Professor Dwight Gollan, and Moderator Jay H. Sandak.

ANIMAL LAW SECTION

COLETTE S. GRIFFIN AND SUZAN M. PORTO, CO-CHAIRS

PURPOSE

Formed in 2002, the purposes of the Animal Law Committee are to provide a forum for members to exchange ideas, and to study and understand laws, regulations, and case law pertaining to all areas of animal law; to organize periodic CLE seminars on various issues relating to animals and the law in order to educate the members of the Connecticut bar, bench, and the public about animal law and about different ways in which the legal system can work to protect animals; to be a resource for people, organizations, and government agencies that wish to obtain information about the subject; to create and maintain a referral service for the public in order to be able to refer people with animal-related problems or concerns to attorneys who are prepared to handle such cases; and to create and maintain a brief and resources bank for use by attorneys practicing in the field of animal law.

ANNUAL REPORT

Meetings

Quarterly section meetings have been held. During the months of December – May, monthly meetings have been held to prepare for an upcoming September seminar.

Executive Committee Meetings

Executive meetings have been held quarterly.

Legislative Efforts

The section has followed pending legislation concerning animals and has forwarded information to the members accordingly.

Volunteer Activities

We have continued to provide legal guidance regarding animal laws to a number of not-for-profit organizations as well as to individuals who have contacted us with legal inquiries.

Other Programs and Events

We presented a seminar to the Paralegal Section regarding animal law with a focus on condo and renter issues involving animals.

We will be partnering with Yale Law School for an upcoming conference on the Agricultural Gag Laws in September 2014. The presenters will include:

Matthew Liebman, Esquire, The Animal Legal Defense Fund

Mickey Osterreicher, Esquire, National Press Photographers Association

Amanda Hitt, Esquire, Government Accountability Project

Paige Tomasselli, Esquire, The Center for Food Safety; Taylor Radig, Undercover Investigator

Keynote by Wayne Pacelle, President and CEO of The Humane Society of the United States

ANTITRUST AND TRADE REGULATION SECTION

ERIKA 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

Officers

Erika L. Amarante, Chair

Michael Kurs, Vice-Chair

Mark Alexander, Secretary

Eric Wiechmann, Treasurer

Meetings

On June 27, 2013, we held a meeting at the Quinnipiac Club, co-sponsored with the Consumer Law Section and the Franchise, Distribution & Dealer Law Section. Our guest speaker was David C. Shonka, Principal Deputy General Counsel of the Federal Trade Commission. David delivered a speech entitled "Current FTC Work in the Consumer Protection, Competition, and Federal Practice Areas."

On September 24, 2013, we held an Executive Committee meeting at CBA headquarters. The topics of discussion included succession planning in leadership and amendments to the Section By-Laws.

On November 12, 2013, we held a meeting at Baci Grill in Cromwell, co-sponsored with the Consumer Law Section. William Rubenstein, Commissioner of Consumer Protection, was our featured guest.

On December 12, 2013, we held a Section meeting at Wiggin and Dana, with dial-in access for additional participants. The agenda item was a vote on the revised by-laws, which passed unanimously.

On February 26, 2014, we held a meeting at the Hartford Club, co-sponsored with the Consumer Law Section and the Health Law Section. Our featured guest was FTC Commissioner Maureen Ohlhausen.

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 year to discuss appellate practice and procedure:

In May 2013, the section hosted their meeting in Bridgeport Connecticut. Wylan Ackerman of Robinson & Cole LLP was invited to speak on the recent SCOTUS victory in *Standard Fire Insurance Co. v. Knowles*, 133 S.Ct. 1345 (2013). A discussion followed.

In June 2013, the section voted to have the current officers continue through the upcoming year—Linda Morkan and Kathy Calibey as co-chairs and Matt Weiner as secretary-treasurer.

In June 2013, the section hosted an informal roundtable conversation with guest speaker Justice McLachlan whose topic of discussion was “*In the Rearview Mirror*” and focused on his insights after leaving the Supreme Court. Also in June, the section’s CLE committee put on a program at the CBA annual meeting focusing on the newly adopted appellate rule changes affecting preparation of the record and appendix. The program was entitled: *The Record Revamped: Changes to the Connecticut Rules of Appellate Procedure* and included a panel presentation and discussion.

In October 2013, the section hosted a conversation with Justice Norcott on the eve of his retirement from over 20 years of service on the Supreme Court.

In November 2013, the section hosted a CLE program for its members with special guest, UConn law professor Jill Anderson and section member Steve Ecker. Professor Anderson’s presentation stemmed from her *Harvard Law Review* soon-to-be published article entitled: “Misreading Like a Lawyer: Cognitive Bias in Statutory Interpretation.” She focused on issues raised by approaching statutory construction interpretation as a linguist, rather than a lawyer. Steve Ecker’s presentation focused on the use of metaphor in literature and its application to law.

In January 2014, Justice Zarella addressed the section to discuss a proposed rule change to Appellate Rule § 67-2. The sub-committee assisting the appellate courts with regard to the PAC program and self-represented parties reported on the progress of their work in putting together a video for use by the judicial department. The committee members noted that they had met several times with Judge Pellegrino and a number of court representatives to discuss the scope of the project and were in the process of drafting the script. Linda and Kathy reported that, as approved, a memorial donation was made by the section on behalf of William F. Gallagher to The Company of Fife & Drum Museum in Essex, CT.

In February 2014, the section co-sponsored a CLE with the Young Lawyers' Section titled "Appellate Fundamentals: An Introduction to State & Federal Practices." The panelists were Appellate Court Judge Michael Sheldon and section members Jeffrey Babbin and Alinor Sterling. The program was moderated by John Cerreta and touched upon the technical highlights of filing an appeal and the initial pleading papers needed in state and federal court. There was also a discussion about brief writing and preparation for oral argument.

In April 2014, the section had a working meeting. There was a discussion regarding our upcoming CLE at the Connecticut Legal Conference and a report from the section's Rules Committee. A variety of topics were discussed, including rules governing amici curiae participation, application of the newly adopted articulation rule, and the construction/interpretation of administrative regulations.

CHILD WELFARE AND JUVENILE LAW SECTION

KAREN OLIVER DAMBOISE, 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 and 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 2013 through May 2014 (excepting a combined November-December meeting) averaging 10 members per meeting. The agenda items for each meeting include review of pending legislative matters and mini-CLE 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 amending C.G.S. §§ 52-466(f) (that foster parents utilizing this statute be required to give notice to biological parents whose rights have not been terminated) continued to be an area of interest for several meetings. The impact of the Task Force on Child Custody Matters; the cases of *In re: Elvin G. (Specific Steps)*, *In re Yasiel R., et al.* (due process require a canvass when a parent agrees to a hearing without testimony); and the right of the Department of Children and Families to request counsel for the child not be present while the Department is interviewing the child were among the subjects of mini-CLEs.

CLE

The section will sponsor "Psychological Evaluations." The presenters will be Marilou Giovanucci from the Connecticut Judicial Branch and psychologists approved by the state to conduct court ordered evaluations. The program was originally scheduled for May 6, 2014. However, due to an unforeseen scheduling conflict, the program will be held in the fall of 2014.

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 monitors legislation that impacts the areas of law related to the section's mission. The section did not take any positions regarding proposed legislation this session. The section noted RB 5030 (Governor's budget bill) allocated for public defender for child protection cases is \$7 million and the request is for \$11 million. However, that \$11 million would be for all assigned counsel, not just child protection assigned counsel.

Other Programs, Events, and Activities

This section continues to explore ways for child protection lawyers to advance their professional objectives. The section held meetings in various venues to encourage attendance and renew interest in the mission of the section. The section executive committee unanimously voted to open the monthly meetings to all members of the CBA and further discussed opening certain future meetings to all lawyers.

COMMERCIAL FINANCE SECTION

THOMAS J. WELSH, CHAIR

PURPOSE

The Commercial Finance Section is intended to promote the educational and professional objectives of the Connecticut Bar Association within the practice area of commercial finance, which includes the substantive topics of commercial law, finance law and transactions, real estate finance law and associated topics in the law of contracts, administrative law, enforcement and remedies in litigation and otherwise and bankruptcy law.

ANNUAL REPORT

The Section was formed in the summer of 2013 and started slowly. Due to conflicts with meetings of other sections the Section's first dinner meeting was postponed and was held on October 23, 2013 in New Haven. The dinner lecture was titled "A BRIEF OVERVIEW OF UCC ARTICLE 9 CONNECTICUT REVISIONS EFFECTIVE JULY 1, 2013" and the speakers were Michael F. Maglio of Robinson & Cole LLP and James C. Schulwolf of Shipman & Goodwin, LLP.

In 2011 a number of members of the Section (formerly a 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 and prepared a report to advise the Judiciary Committee of the General Assembly relating to relevant issues. Participants in this process from the Committee were Michael F. Maglio, James C. Schulwolf, R. Jeffrey Smith, and Thomas J. Welsh, as Co-Chair of the Advisory Committee. This bill was introduced and passed by one House of the General Assembly in the 2012 and 2013 sessions of the General Assembly, but failed to be passed in the other House prior to adjournment of these sessions. In the 2014 General Assembly Session this Bill was introduced in the Connecticut General Assembly in 2014 as House Bill 5216. Section Chair Thomas J. Welsh 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 and testified and presented written materials on behalf of the Section before the Judiciary Committee and closely followed the Bill through the legislative process. When this House Bill was inadvertently 'boxed' in a committee, another pending Bill (House Bill 5459) was amended to delete its text and to substitute the proposed UCTOVA text – this bill was passed by the General Assembly unanimously and is pending signature by the Governor as Public Act 14-63.

The Section, together with the Commercial Law and Bankruptcy Section, had obtained permission from the Connecticut Bar Association to support the adoption of the 2012 revisions to UCC Article 4A (Funds Transfers) drafted by the American Law Institute and National Conference of Commissioners on Uniform State Laws – which corrects 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 March 11, 2014. These revisions to UCC Article 4A were not passed before the end of the 2014 Session and are expected to be reintroduced in the 2015 session.

During the 2013-2014 season members of the Section began work on an update to the Connecticut comparative law chapter in the book titled COMMERCIAL LENDING LAW: A STATE BY STATE GUIDE, which was published by the American Bar Association in 2009 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 project of the earlier Commercial Finance Committee and are authoring the revision. We expect that this update will be completed for publication by the American Bar Association early in 2015.

CONSTRUCTION LAW SECTION

BRIAN J. DONNELL, CHAIR

PURPOSE

The purpose of the Construction Law Section is to bring together those CBA members practicing in the fields of construction and design law 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

During the 2013-2014 fiscal year, 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 11, 2013, the Executive Committee met and charted its course for the fiscal year addressing, among other topics, the Section programs to be offered, developments with the CBA website and scholarship program, and the Section's legislative positions regarding mandatory ADR provisions in some construction contracts, pass-through claims by subcontractors on State projects, False Claims Act issues, and the implications of the holdings in the recent *State of Connecticut v. Lombardo Bros. Mason Contractors, Inc., et al* case.

On October 16, 2013, the Section sponsored its sixth annual program, in association with the Construction Management Department at Central Connecticut State University (CCSU) in New Britain, entitled "Managing Risk for Connecticut Companies in re *Capstone Building Corp. et al v. American Motorists Ins. Co.*" The dinner meeting was attended by Section members, students, and faculty members from the CCSU Construction Management Program.

Approximately 13 years ago, the Section established a scholarship fund at CCSU to benefit undergraduate students in the Construction Management or Civil Engineering Programs. 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 and with plans to increase the total to three scholarships in the 2014/2015 academic year.

On February 26, 2014, the Executive Committee jointly met with the Section and presented a program led by Chief Administrative Judge Linda Lager on the Superior Court's J-ADR Mediation Program and issues involved in the assignment of construction and other cases to the Complex Litigation Docket. The program was well-received and was well-attended by Section members.

On April 9, 2014, the Executive Committee met and covered numerous topics including: a) the status of various legislative efforts including implementation of the *Lombardo* authorizations by the CBA to advance legislation that would alter the doctrine of *Nullum Tempus* as it had been recently applied by the Connecticut Supreme Court; and b) to revise and update the Section's Bylaws in keeping with the CBA's updated policies and scheduling a Joint Section and Executive Committee Meeting on June 18, 2014, the final meeting of the fiscal year, to address the proposed amendments to those Bylaws.

Carrying on another longstanding and valuable annual project, the Section once again produced during May 2014 its annual *Construction Case Law Summary*, detailing important court decisions and legislative

developments that affected the construction industry in Connecticut during 2013. This extensive analysis and compilation of materials—amassed and edited by about 20 Section members—was made available online as a resource for all Section members.

On May 30, 2014, 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 and Executive Committee—with authorization from the CBA—pursued the adoption of House Bill 5570, “an Act Concerning the Applicability of Statutes of Limitation to Actions Brought by the State or a Political Subdivision of the State.” For a new legislative initiative pushed for the first time by a variety of construction and design industry groups in an abbreviated legislative session, the Bill met with much support and made it past Judiciary Committee approval until it died at the very end of the session. The Section will be working hard with other industry groups during the next fiscal year to pursue this and other legislative initiatives.

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 which 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 which 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:

Gerald Fox III, Esq.	Chair, House Judiciary Committee Co-Chair, Joint Judiciary Committee
Ellen LaChance	Director, Psychiatric Security Review Board
Honorable Richard Comerford	Judge, Superior Court
Honorable Gary White	Judge, Superior Court
Robert O'Brien	Deputy Director of Connecticut Division of Scientific Services
Robert Specter	Assistant United States Attorney
Patrick Culligan	Public Defender, Post Conviction Relief and Innocence Project

The Criminal Justice Section supports a Legislative Subcommittee which has participated in the recent drafting of ethical guidelines for lawyers advising clients who seek help navigating the new laws with regard to dispensing marijuana for medical purposes. Members of the committee participate in work groups assisting in drafting proposals for state grand jury reform.

The Criminal Justice Section will hold its next meeting in May where new developments in the law concerning preserving issues for appeal will be discussed.

From time to time upon request by the CBA, the Committee has responded to media inquiries during the year concerning developments in the criminal law (i.e. warrant affidavit sealing, constitutionality of tracking devices).

This year at the annual meeting the Section will participate with the Family Law Section in a presentation on domestic violence and protective orders. This issue of great importance to those who practice at the intersection of family and criminal law.

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. Section members represent boards, parents, and teachers.

ANNUAL REPORT

A planning meeting was held in the fall where we agreed to plan for a CLE presentation. We hope to have this seminar in the fall of 2014.

Our winter meeting featured Attorneys Lynn Cochran and Maria Morelli Wolfe of Greater Hartford Legal Aid. They spoke about their recent complaint to the Office of Civil Rights about discipline of students. They filed a successful civil rights complaint with OCR concerning a charter middle school.

We are looking forward to our last meeting, which will feature Attorney Anne Littlefield of Shipman & Goodwin LLP, who will give a presentation about developments in the legislature.

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

ELDER LAW SECTION

KEVIN BROPHY, CHAIRPERSON

PURPOSE

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

ANNUAL REPORT

Kevin Brophy, Chairperson
Peter Boorman, Vice Chair
Amy Todisco, Treasurer
Paula Boa Sousa, Secretary

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. Also, this year the Elder Law Section is collaborating with Legal Services to recruit private attorneys to accept pro bono referrals of low income elders.

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.) This year the Elder Law Section provided educational presentations on issues that would help its membership: 1) review major changes in health care law, and in particular the Affordable Care Act, 2) invite the CT Healthcare Advocate to present on issues that confront consumers on health care issues, 3) address problems of processing Medicaid applications within the CT Medicaid agency, 4) be an active participant on legislative issues that affect our elder consumers, including advocating for an updating of the powers of attorney act and increasing the Community Spouse Protected Amount for community spouses, when one spouse goes into a nursing home and applies for Medicaid, 5) establish a CBA/Legal Services Elder Law Pro Bono project, 6) devote resources to assist Veterans in need of free estate planning and 7) discuss and decide issues regarding Elder Law as a specialized practice area under the Rules of Professional Responsibility.

The 2013-2014 topics have included:

- Health Care Changes because of the Affordable Care Act- presented by Bob Rodman, Wilhelm Gauster, and Claudio Gualtieri of CT AARP;
- Role of Healthcare Advocate- Vicki Veltri;
- Issues/Problems at the CT Department of Social Services, including processing of Title 19 Applications- Sheldon Toubman of New Haven Legal Assistance;
- Legislative Primer for 2014- Bob Shea, Whitney Lewendon, and Carmine Perri;
- Affordable Care Act and impact on Small Businesses- Claudio Gualtieri; and
- Recovery Issues under Medicaid- Judith Hoberman.

- Materials from these presentations have been posted on the CBA/Elder Law section website.

Continuing Legal Education (CLE)

The Continuing Legal Education (CLE) Committee consists of 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 February 2014 on “Estate and Long-term Care Planning: Strategies to Maximize and Preserve Assets” and is again sponsoring an Annual Meeting program.

At the Annual Meeting, the Section will be sponsoring a ninety minute program on Medicaid and the Department of Social Services. This session will be followed by a reception sponsored by the section.

Deskbook

Co-edited by Mark Dost and Susan Nobleman “A Practical Guide to Issues in Connecticut Elder Law” was published by the CBA in November 2012. 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. The Elder Law Section has sold over 300 copies.

Veteran’s Project

Chaired by Matt Stillman

We successfully ran three (3) estate planning events in Danbury, Bristol, and Norwich, which were coordinated by Melissa Wyckoff of the Connecticut Bar Association. At these three events, the Veterans’ Benefits workgroup assisted more than 45 Veterans and their families with estate planning needs. However, through these connections with the Veterans Administration service centers, volunteer attorneys provided one-on-one consultations, and answered legal questions in areas of estate planning, business planning, real property transfers, and other areas of concern. Through the connections established at these Veterans’ Service Centers, some of our attorneys remain “on call” to answer questions for service counselors when ongoing legal questions arise.

We have now conducted these seminars in nearly every region of the State. 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 (ex. g. real estate, family law, bankruptcy, mental health, criminal defense, etc...) for future assistance.

Some of our participating attorneys also represented the Connecticut Bar Association by volunteering for “Stand Down Connecticut”; an event held in early/mid September. Multiple organizations participate at the State Veterans’ HQ in Rocky Hill by offering services and providing counseling to Veterans. Many of our participating attorneys manned the CBA tables to answer questions for the day.

DRA Workgroup

Chaired by Amy Todisco and Brendan Daly

This group was first established in the Fall of 2006 to address implementation of the Deficit Reduction Act of 2005 (DRA) by presenting synopses of the law, liaising with DSS, and leading the advocacy effort

to challenge DSS' proposed regulations promulgating the DRA before the legislative Regulations Review Committee. This year these continuing efforts have been led by Amy Todisco and Brendan Daly. Due to the Section's leadership during the past several years, our seniors in Connecticut have a strong and enduring voice in legislation and public policy particularly as it impacts their benefits. The Section's perseverance, determination, and time commitment is unparalleled in the history of the Section and its work embraces the purpose of our Section. Members of this group have included Stephen Allaire, Lois Andrews, Julia Brown, Brendan Daly, Lisa Davis, Mark Dost, Richard Fisher, Steven Floman, Joelen Gates, Judith Hoberman, Whitney Lewendon, Sharon Pope, Lea Nordlicht Shedd, Tanya Spurlin, Sandra Sherlock-White, Amy Todisco, and Kevin Brophy.

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 a directive from the Regulations Review Committee to DSS to meet with all stakeholders to address the issues concerning DSS's proposed regulations. Legislative advocacy efforts by the DRA Workgroup are continuing to ensure that the final regulations comport with law. Because of the delay in the regulatory process, the Workgroup looked to legislative advocacy in 2012 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 was passed into law that establishes the right for individuals to receive benefits even though previously denied if undue hardship exists.

This effort has lasted for more than seven 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.

Power of Attorney Workgroup

Lois Andrews, Chair

The workgroup formed two years ago to address issues concerning Powers of Attorney and is chaired by Lois Andrews and included members Suzanne Brown-Walsh, Richard Dixon, Joelen Gates, Wendy Borawski, Agnes Orlowski 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.

In the 2014 legislative session, the Judiciary Committee voted favorably on HB 5215, the Uniform Power of Attorney Act. As of this point in time, the full legislature has not voted on HB 5215.

Legislative Workgroup

The Elder Law Section continues to vigorously engage in relevant legislative and regulatory advocacy on the State level. Our 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, who coordinates this workgroup, made up of Sandra Sherlock-White, Paula Boa Sousa, Sharon Pope, Steve Allaire, Amy Todisco, and Kevin Brophy.

Major areas of effort include:

1. Passage of the Uniform Power of Attorney Act.
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 addition of new grounds for the discharge of the elderly from nursing homes.
4. Advocate for the approval of appropriate regulations from the Department of Social Services to implement provisions of the Federal Deficit Reduction Act.
5. Advocate for an increase of the personal needs allowance for nursing home residents on Medicaid.
6. Advocate for an increase of home care services for the elderly and individuals with disabilities.

During the 2014 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. All of these measures are designed to promote the areas discussed above.

Filing of Amicus on Behalf of the CBA

The CBA Elder Law Section was invited to file an amicus in the Supreme Court appeal of Mary Kortner, Administratrix (Estate of Caroline Kendall Kortner) v. Craig L. Martise, SC 18793. The issue presented was “When the Probate Court has ordered a conservatorship of the person only and has not expressly granted authority to the conservator to sue on behalf of the conserved person, does the conservator have standing to commence an action in the conservator’s own name in her capacity as conservator for intentional torts against the conserved person by a third party?” The CBA filed an amicus and answered the question in the affirmative. The amicus was authored by Attorneys Sandra Sherlock White, Alexander Cuda, and Michael Schenker.

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, Joy DeFelice, 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.

However, 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, their 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 they 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 Bickford, chair, Sharon Pope, Amy Todisco, Sandra Sherlock White and Paul 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 at its December 2013 meeting. The Rules Committee approved our request to amend the CT Practice Book and allow the certification of elder law as a specialty.

ENERGY, PUBLIC UTILITY, AND TELECOMMUNICATIONS LAW SECTION (FORMERLY PUBLIC UTILITY LAW SECTION)

LEE D. HOFFMAN, CHAIR

PURPOSE

As was the case last year, one of our Section's main focuses was education and programming. Because energy, utility and telecommunications law is 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.

ANNUAL REPORT

Our programming year began in November, with guest speaker Arthur House. Mr. House is the Chairman of the Connecticut Public Utilities Regulatory Authority and has been recently tasked by Governor Malloy to spearhead the State's efforts with respect to cyber security and infrastructure hardening. Chairman House spoke to our members regarding the State's efforts to respond to cyber-attacks, as well as what utilities were doing to make themselves more resistant to such attacks.

In January, the Section put on a joint meeting with the Connecticut Power and Energy Society and invited Senator Robert Duff and Representative Lonnie Reed of the Connecticut General Assembly to speak. Sen. Duff and Rep. Reed serve as co-chairs of the General Assembly's Energy and Technology Committee, and this was an opportunity for the Section's members to gain insight as to what the co-chairs' plan for the legislative session was. After the co-chairs presented their legislative agenda for the upcoming session, a robust question-and-answer period ensued.

In April, newly-appointed DEEP Commissioner Rob Klee, along with his Deputy Commissioner for Energy, Katie Dykes, met with the Section's members. Commissioner Klee focused his remarks on his transitioning the DEEP from Daniel Esty's stewardship of the agency, as well as Commissioner Klee's plans for the agency going forward. Commissioner Klee and Deputy Commissioner Dykes also spent a great deal of time answering various questions from the Section's members.

Our last meeting of the program year will be a working meeting with the main focus on revising the Section's bylaws. The meeting is scheduled to be held on June 25, 2014, and at that meeting, Section members will discuss these bylaw revisions. The proposed revisions were approved by the Executive Committee on April 29, 2014, and approval by the entire Section is anticipated. A copy of the Draft Revised Bylaws can be found on the next page of this report.

DRAFT

BYLAWS
of the
ENERGY, PUBLIC UTILITY, AND COMMUNICATIONS LAW SECTION
of the
CONNECTICUT BAR ASSOCIATION

**ARTICLE I
NAME AND PURPOSE**

Section 1.1. Name. The Section shall be known as the Energy, Public Utility, and Communications Law Section of the Connecticut Bar Association (“CBA”).

Section 1.2. Purpose. The purpose of this Section is to promote the educational and professional objectives of the CBA within the general fields of energy, public utility, and communications law, including state and federal statutory and regulatory supervision of companies by, and the practice of law before, agencies including the Connecticut Public Utilities Regulatory Authority, the Connecticut Siting Council, the Connecticut Department of Energy and Environmental Protection, the Federal Energy Regulatory Commission, the Federal Communications Commission, and the Nuclear Regulatory Commission. The Section shall achieve these purposes by providing relevant Continuing Legal Education to its members, providing relevant updates to its members of important developments concerning the practice area, fostering discussion of current issues affecting the practice area, and engaging in legislative advocacy on issues relating to the practice area, in accordance with procedures established by the CBA. To facilitate the legislative purpose, the Chair shall appoint a Legislative Liaison to work with the CBA.

**ARTICLE II
MEMBERSHIP AND DUES**

Section 2.1. Membership. Any member of the CBA may become a member of the Section upon request to the CBA and upon payment of the dues for the term in which the request is made.

Section 2.2. Dues. Section dues, in amounts established by the Executive Committee, and subject to approval by the Board of Governors, shall be payable for the term of the CBA Fiscal Year, July 1 through June 30. Any Section member not timely paying dues shall cease to be a member until the current dues have been paid.

**ARTICLE III
ADMINISTRATION**

Section 3.1. Chair. The Chair of the Section shall be chosen, and any vacancy in that office shall be filled for the remaining term, by the President of the CBA.

Section 3.2. Executive Committee. There shall be an Executive Committee consisting of the Chair and not less than ten (10) nor more than twenty-five (25) members of the Section. The Chair shall recommend to the President of the CBA members of the Section for membership on the Executive Committee based on active participation in Section activities that promote the purpose of the Section described in section 1.2. The President of the CBA shall appoint members of the Executive Committee and the Executive Committee shall have the right to vote on matters that come before the Section as outlined in these bylaws. The Chair shall report to the incoming President of the CBA by April 15 on the prior year's participation of Executive Committee members and make recommendations regarding Executive Committee appointments.

Section 3.3. Other Officers. In addition to the Chair, there shall be a Vice-Chair, a Secretary, and a Treasurer. Such officers shall be chosen by and from the Executive Committee, subject to approval of the CBA President. If any such office shall become vacant, then a new officer shall be chosen by and from the Executive Committee to serve for the remainder of the term, subject to approval of the CBA President.

Section 3.4. Terms of Office. Succession. Each member of the Executive Committee shall serve a one-year term, coinciding with the CBA Fiscal Year, July 1 through June 30. No person shall hold the office of Chair of the Section for more than two (2) years. No other officer of the Section shall hold the same office for more than three (3) years.

Section 3.5. Function of Executive Committee. The Executive Committee shall have general supervision and control of the affairs of the Section subject to the provisions of the Constitution and Bylaws of the CBA and the Bylaws of the Section. Between meetings of the Section, the Executive Committee shall have full authority to act for the Section, and shall report on its activities through the Chair at the next meeting of the Section. Only Executive Committee members shall be eligible to vote on matters brought before the Executive Committee. The Executive Committee shall have the authority to establish and define non-voting categories of membership such as honorary members. Honorary members shall not be counted as Executive Committee members for purposes of Section 3.2 limitations on the number of Executive Committee members and shall not have voting rights on the Executive Committee. The Executive Committee shall also perform the other duties set forth in these Bylaws and such other duties as may be assigned by the CBA.

Section 3.6. Function of Chair. The Chair shall have the duty and responsibility to advance the purposes of the Section as set forth in section 1.2, above, and shall have general supervision and control of the affairs of the Section and full authority to act in its behalf between the meetings of the Executive Committee, subject to the provisions of the Constitution and Bylaws of the CBA and the Bylaws of this Section. The Chair shall consult with and advise the Executive Committee concerning these activities and shall report on said activities at the next meeting of the Section. The Chair shall preside at all meetings of the Section and of the Executive Committee and shall prepare and present at each annual meeting of the CBA a report of the activities of the Section since the last preceding report. The Chair shall also perform such other duties as may be assigned by the Executive Committee.

Section 3.7. Function of Vice-Chair. The Vice-Chair shall act as Chair in the Chair's

absence, including for purposes of section 3.6, and shall also perform such other duties as may be assigned by the Chair or the Executive Committee or the CBA President.

Section 3.8. Function of Secretary. The Secretary shall be the custodian of the business records of the Section. The Secretary shall cause notices to be issued and shall keep records of the meetings of the Section and of the Executive Committee. The Secretary is responsible for providing attendance records and meeting minutes to the CBA promptly following each meeting. The Secretary shall also perform such other duties as may be assigned by the Chair or the Executive Committee. In the absence of the Secretary, the Chair shall appoint an acting Secretary.

Section 3.9. Function of Treasurer. The Treasurer shall be the custodian of the financial records of the Section. The Treasurer shall report to the Section and the Executive Committee at each meeting on the expenditure of Section funds and the balance of funds on hand at the administrative office of the CBA. The Treasurer shall also perform such other duties as may be assigned by the Chair or the Executive Committee.

ARTICLE IV COMMITTEES

Section 4.1. Standing Committees. The Executive Committee may designate Standing Committees as follows: (i) Legislation; (ii) Programs and Continuing Legal Education; (iii) Publications; and (iv) Website. Each Standing Committee may consist of one or more Section members. The Executive Committee shall from time to time designate the chairs and members of the Standing Committees and specify the duties thereof.

Section 4.2. Ad Hoc Committees. The Executive Committee may from time to time establish other committees of the Section, designating the chairs and members of such committees, and specifying the duties thereof.

ARTICLE V MEETINGS

Section 5.1. Section Meetings. There shall be at least four (4) Section meetings each year at times and places determined by the Chair, which locations shall conform to the policies of the CBA regarding accessibility. All meetings shall be called by the Chair, or by any five (5) members of the Executive Committee, by written notice sent to all Section members at least ten (10) days before the meeting, setting forth in general terms the purpose or purposes of the meeting. For purposes of these Bylaws, “written notice” shall include email and facsimile. The members of the Section present at any meeting shall constitute a quorum for the transaction of business and all action of the Section shall be by majority vote of the members present.

Section 5.2. Executive Committee Meetings. The Executive Committee shall hold at least four (4) scheduled meetings each year, which meetings may coincide with Section meetings. Other meetings may be called by the Chair or by any five (5) members of the Executive Committee. Written notice shall be sent to all Executive Committee members at least ten (10)

days before any meeting, setting forth in general terms the purpose or purposes of the meeting. One-third of the voting members of the Executive Committee shall constitute a quorum and all actions of the Executive Committee, except as otherwise provided herein, shall be by majority vote of those present. Members of the Section may attend any meeting of the Executive Committee and participate, unless a majority of the Executive Committee members present determine to enter an executive session. Members of the Section who are not members of the Executive Committee shall not have voting rights at meetings of the Executive Committee.

Section 5.3. Conduct of Meetings. Section and Committee meetings shall proceed in an orderly fashion as dictated by the Chair of the Section or Committee. Should any member voice a dispute as to the conduct of a Section or Committee meeting, Robert's Rules of Order shall be used to conduct the Section or Committee meeting, unless two-thirds of the attendees of such meeting vote to suspend the use of Robert's Rules.

Section 5.4 Action By Committee Without Assembly. Any Standing or Ad Hoc Committee may transact business remotely, which includes, but is not limited to, telephone, mail, email, facsimile, or video conferencing, without the necessity of actual assembly, provided that a majority of the members of the committee consent to such action in writing prior to the time of the meeting. The Executive Committee, however, shall meet in person at least four (4) times per year. Additional meetings of the Executive Committee may be conducted remotely.

ARTICLE VI SECTION FUNDS

Section 6.1. Use of Section Funds. The funds of the Section may be used to the extent that the same is consistent with the Policies and Procedures of the CBA, as the same may be adopted and amended from time to time. Approved uses of Section funds shall include: clerical, telephone, printing, mailing, the purchase of outside services, including the services of lecturers, research assistants, legislative draftsmen, and other purposes consistent with the educational and professional purposes of the Section. The expense of Section members in attending Section, Executive Committee, or committee meetings, including meals and travel, shall not be reimbursable out of Section funds.

Section 6.2. Custody and Expenditure of Section Funds. Section funds shall be deposited with and held by the administrative office of the CBA. The Chair may authorize the expenditure of Section funds for the following: regular dinner meetings of the Section, Executive Committee, or other committee for which the Section is to be reimbursed by attending Section members; and expenses of any amount for a purpose approved by the Executive Committee. Reimbursements to the Chair or Executive Committee members for personal, firm, or company expenditures made on behalf of the Section in amounts under \$300 must be approved by the Chair and one other Section officer, and one or both officers approving such expense shall not be employed by the firm or company seeking reimbursement. Expenses in excess of \$300, other than as previously described, must be authorized by a vote of the Executive Committee. Any expenditures of Section funds which do not directly benefit Section members must be approved by the CBA Board of Governors as required by the CBA Constitution.

**ARTICLE VII
MISCELLANEOUS**

Section 7.1. Bylaws Effective Date. These Bylaws shall become effective upon adoption by the Executive Committee and approval by the Board of Governors, in accordance with the Constitution and Bylaws of the CBA.

Section 7.2. Amendment of Bylaws. These Bylaws may be amended by majority vote of the Executive Committee of the Section at any Executive Committee meeting at which a quorum is present, provided written notice of the meeting, the proposal to amend, and the text of the proposal have been mailed, faxed, or emailed to all Executive Committee members at least ten (10) days before the meeting, and the amendment shall be effective upon approval by the Board of Governors in accordance with the Constitution and Bylaws of the CBA.

Bylaws adopted on _____

Respectfully submitted:

Lee D. Hoffman, Section Chair

ENVIRONMENTAL LAW SECTION

KEITH R. AINSWORTH, 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

- A. September 24, 2013: "Clyde Fisher Award Presentation"
The section held a meeting at which it awarded the Clyde Fisher award to Eric Lukingbeal, Esq. (Robinson & Cole) and James MacBroom of Milone & MacBroom for their contributions to Connecticut's environment.
- B. October 18, 2013: "Organizational Meeting and Executive Committee Meeting"
Chairman Ainsworth opened discussion of a challenge to the section to bring in at least one new member (new to the CBA) to the section by April 2014 and also discussed the draft amended by-Laws. The section organized its committees and liaisons. Chair Keith Ainsworth moderated the meeting.
- C. November 19, 2013: "Evening Discussion with the DEEP Commissioner"
The section held a meeting at which outgoing Commissioner Dan Esty, commissioner of the Department of Energy and Environmental Protection, gave a presentation about the state's comprehensive energy strategy, and also took questions on a number of topics of interest to the section.
- D. December 18, 2013: The section met informally for a holiday gathering at Anna Liffey's.
- E. January 16, 2014: "Water Planning in Connecticut"
The section met at Quinnipiac University School of Law to connect better with new members of the bar. Lori Mathieu, CT DPH; Denise Ruzicka, DEEP; and Margaret Miner, Rivers Alliance gave a presentation regarding developments and theories of water planning in Connecticut following the first meeting of the legislature's Water Resources Task Force.
- F. February, 2014: "Brownfields program"
The section meeting was cancelled due to a winter storm.
- G. March 20, 2014: "A Connecticut Legislative Update with the Co-Chairs of the Legislature's Environment Committee"
The section met at the UConn Law School with the Center for Energy and Environmental Law (Joseph A. MacDougald, Professor-in-Residence and Executive Director). Senator Ed Meyer (Rep. Linda Gentile cancelled) gave an update regarding the various bills before the Environmental Committee of the legislature. Several students gave presentations on case studies in energy and environmental law. An executive committee meeting was held to approve the section's new by-Laws and to nominate the executive committee.

- H. April 22, 2014: "Incentives for Brownfields Developers and Using Satellite Technology to Assess Brownfields Sites"
Ann Catino (former section chair) and Russell Schimmer (section member) presented a Brownfields program to the section.
- I. May, 2014: The section intends to hold a joint meeting with the Environmental Professional of Connecticut and the Society for Women Environmental Professionals to present a roundtable on barriers to project deal making and methods for getting around those barriers.
- J. 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

- A. October 18, 2013: The executive committee approved the slate of officers for the 2013-2014 bar year, and discussed amending the by-Laws.
- B. March 20, 2014: The executive committee met to approve the by-laws and nominate its executive committee to the CBA president.
- C. June, 2013: The executive committee will vote on the new chair for the upcoming bar year and on the Clyde O. Fisher, Jr. award nominations.

CLE

- A. Christopher McCormack (section vice chair) will present a CLE at the June 16th CBA Connecticut Legal Conference entitled "Who's Afraid of Contaminated Property? Environmental Assessment, Appraisal and Valuation, and Brownfield Opportunities in Connecticut."

Legislative Efforts

- A. The section has not taken a formal position on legislation pending this year. Individual members of the section have submitted both written and oral testimony on a number of bills this session.

ESTATES AND PROBATE SECTION

AMY L. Y. DAY, CHAIR

PURPOSE

The mission of the Estates and Probate Section is to focus on all issues affecting wills, estates, trusts, guardianships, conservatorships, powers of attorney, living wills, health care documents, and probate litigation, as well as estate, gift, and income taxes. The section promotes sound public policy and best professional practices.

ANNUAL REPORT

While the executive committee of the section normally holds meetings monthly from September through May, including three open section meetings during that period, this year we had to cancel two meetings—one open meeting in February and one executive committee meeting in March—due to the severe winter weather. (The programs originally scheduled for those meetings are being rescheduled and will be presented at future meetings.) All the meetings this year were held at the Quinnipiac Club in New Haven.

Despite having to cancel two meetings, we had a very active year. All of the meetings that were held continued to have a strong CLE component. For our two open meetings, we had a presentation by Lester Law, Esq., director of client management for Abbot Downing in Naples, FL, formerly managing director of the National Wealth Strategist Group at U.S. Trust, on Portability and a presentation by Attys. Todd Angkatavanich and Karen Yates on Pitfalls to Avoid in Administering Estate Planning Techniques. In addition, the executive committee heard a presentation by Atty. Alfred Casella on income tax planning and a presentation by Joanne G. Kuntz, MD on the POLST program, held a roundtable discussion on the new probate court rules facilitated by Atty. Deb Tedford and Atty. Helen (Bonnie) Bennet from the Probate Court Administrator's Office, and a panel discussion on the ADR Center's new program for mediation of probate matters with panelists Tracy Parsons from the ADR Center, the Hon. Michael Magistrali, and Atty. Christopher Hug.

The section was also involved with several CLE programs available to all practitioners, including the Federal Tax Institute of New England, a program on Real Estate for Probate Lawyers and, with the Young Lawyers Section, a program on digital assets.

In addition to CLE, we have been active in other ways as well. Members of our section continued to volunteer to assist needy veterans with the preparation of wills and related documents. And we are about to publish the second issue of our newsletter for the year, which will be available on the CBA website.

We had an extremely active year on the legislative front. We are very pleased to finally have our bill to correct the double taxation of certain gifted assets in estates enacted this year after many, many years of effort. In addition, a bill to extend municipal tax relief to property held in trust, proposed by one of our executive committee members, was enacted, and we supported the MOLST pilot program which was also enacted. Unfortunately, despite valiant efforts by many of our members, the new Uniform Power of Attorney Act got bogged down and so we will have to try again on that one next year.

I want to thank the many members of our section who put in countless hours with all these activities this year.

FAMILY LAW SECTION

Robert D. Zaslow, Chair

PURPOSE

The purpose of the Family Law Section continues to be involvement and collaboration of its members to the study of family law practices, to ensure the best possible practices in and outside of the courthouse, to study and analyze topics of particular significance to the practice of family law, and to promote and facilitate best practices to assist families who come into the family courts of the State of Connecticut. To these ends, our Section continues to study, analyze, and propose legislation; evaluate and advocate for/against certain legislation that affects the practice of family law; provide an active and ongoing forum for its members to discuss and debate various aspects of the family law practice and means to improve all aspects of family law practice and procedure; and promote and provide educational programs.

ANNUAL REPORT

The Section officers for the 2013-14 year have been:

- Robert D. Zaslow, Chair, Zaslow & Sandler, LLC, West Hartford
- Allen Gary Palmer, Vice Chair, Halloran & Sage, Westport
- David W. Griffin, CLE Chair, Rutkin, Oldham & Griffin, LLP, Westport
- Linda L. Mariani, Secretary, Mariani & Reck, LLC, New London
- Samuel V. Schoonmaker, IV, Schoonmaker Legal Group, LLC, Greenwich
- Kate W. Haakonsen, Immediate Past Chair, Brown, Paindiris & Scott, LLP, Glastonbury

The Family Law Section holds monthly meetings throughout the year, with the exception of July and August. The monthly meetings occur on the second Tuesday of the month. Of these meetings, we have three Executive Committee member meetings. Monthly meetings rely on participation of and by the members. “Two minutes from the floor” provides an opportunity for members to bring to the Section certain and varied issues of interest. Reports from various sub-committees are also provided, so that members are made aware of recent and upcoming developments affecting the practice of family law. Caselaw updates are often provided at monthly meetings. Aside from the educational aspect, these updates provide significant and spirited discussion opportunities among members. The caselaw updates have been provided this past year by Alex Cuda, Rutkin, Oldham & Griffin, Westport.

During year 2013-14, Family Law Section members have collaborated with the Tax Law Section, the Commercial Law and Bankruptcy Section, the Litigation Section, the Criminal Justice Section, and the Commission on State Government. The online video caselaw-focused program called *Case Flash* – developed and produced by Family Law Section members—continues to be an important educational tool for family law practitioners.

The Family Law Section was invited to participate in three Amicus Brief opportunities requested by the Supreme Court. Members Alex Cuda, Rutkin, Oldham & Griffin, LLC, Westport and Carolyn C. Swiggart, Law Office of Carolyn C. Swiggart, Greenwich devoted significant time and effort to assist in the drafting and filing of the Amicus Brief for the case Kortner v. Kortner.

David Griffin, Rutkin, Oldham & Griffin, Westport has organized programs for the CBA Annual Meeting in June that include:

- An annual review of family law cases rendered – and cases that have impact on family law practice—in the past calendar year. The annual review will be presented by Campbell D. Barrett, Budlong & Barrett, Hartford, Steven Dembo, Berman, Bourns, Aaron & Dembo, LLP, Hartford, and Jon Kukucka, Budlong & Barrett, Hartford.
- A presentation regarding alimony and child custody reform.
- A joint session with the Criminal Justice Section regarding domestic violence and the civil restraining order docket. Presenters from the Family Law Section include Jill Plancher, Connecticut Legal Services, Stamford, and Andrea Mancuso, Domestic Violence Crisis Center (Director) Legal Services Association.
- A presentation covering mental health, legal privilege, and addiction issues in the custodial setting. Speakers from the Family Law Section will include: Kristi Hanney, Loudon, Caisse & Hanney, Hartford, and Lane Marmon, Rutkin, Oldham & Griffin, Westport.

Our Legislative Committee was extraordinarily busy this past year, and will continue to be busy. Legislative efforts focused on the role and scope of child representatives (Guardians Ad Litem as well as Attorneys for Minor Children) were a particular source of contention in the Legislature, in the press, and in the courthouses. While the child representative issues were high profile in the media, our Legislative Committee made exhaustive efforts with a list of other vitally important issues that did not garner headlines. These issues included: alimony reform, modification of existing statutory provisions regarding teachers' retirement assets after divorce, modification of the restraining order statute (CONN. GEN. STAT. §46b-15), as well as monitoring a myriad of other pieces of would-be legislation. The Legislative Committee is comprised of: Kate Haakonsen, Brown, Paindiris & Scott, Glastonbury, Sharon Wicks Dornfeld, Law Offices of Sharon Wicks Dornfeld, Danbury, Shirley M. Pripstein, Greater Hartford Legal Assistance, Inc., Hartford, Edith F. McClure, Greater Hartford Legal Assistance, Inc., Hartford, Melissa E. Osborne, Law Offices of Melissa E. Osborne, Avon, Sandi B. Girolamo, Flaherty Legal Group, West Hartford

The Family Law Section also created a committee to advocate for legal protections for mental health professionals who become involved in family court matters as court-appointed/court-ordered evaluators, co-parent coordinators, therapists, etc. Chairing this committee is Edith F. McClure, Greater Hartford Legal Assistance, Inc., Hartford. The intention is to draft and introduce legislation to provide legal protections for mental health professionals to insulate them from liability in the same manner that Guardians Ad Litem are presently protected.

The Family Law Section has traditionally been a most active section of the Connecticut Bar Association. This activity is derived from our members' commitment to ensuring the advancement of professionalism, ensuring the interests of the families of Connecticut for whom we work, and the collaboration our members have among themselves. Through the 2013-14 year, the Family Law Section was tested and our members answered the call to give voice to reasonable positions in a climate of exaggerated and emotional claims. The Section members continue to serve to promote the profession in the highest regards *of a profession*, mentor younger colleagues, offer to be speakers at CLE programs and for other sections, and devote countless hours of time to the courts and the public.

It is this commitment to high public service and high expectations of professionalism that continues as a hallmark for the Family Law Section.

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 was a quiet year for the Section, as various issues resulted in an absence of meetings, except for a planning session among a number of the Section regulars.

Next year's leadership is in place. Nicole Liquori Micklich will be serving as Chair for the upcoming year and revisions have been made in the Executive Committee. One of the major thrusts of the reorganization has been to add a corporate presence – a goal which has been accomplished after several years of that representation being absent. It is hoped that an involved in-house counsel will help recruit peers, making the committee more representative of the whole span of franchise attorneys.

Plans are underway for our meetings during the upcoming bar year, with a focus on at least three of them being joint sessions with other Sections. The Section is going to hold a breakfast meeting, to try to draw participants who are not available in the evening, and a meeting at Quinnipiac Law School, to involve students in the group. The planned topics are:

November Meeting – When are franchisees employees?

January Meeting – Transfers/Assignments and Enforcement of Non-Compete Provisions

March Meeting – Bankruptcy

May Meeting – Developments in Trademark Law in Franchising.

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 2013–2014, the Section has concentrated on monitoring legislation passed last year to increase voting rights and working with the Secretary of State to ensure they get implemented. In addition in this legislative session we worked with some members of the disabled community to ensure that the assisted suicide bill being contemplated did not become a bill that made euthanasia possible. We also continue to monitor the budget battles to ensure that the Commission on Human Rights and Responsibility (CHRO) retains adequate funding especially to handle all the discrimination complaints that it faces.

INSURANCE LAW SECTION

MICHAEL T. MCCORMACK, CHAIR

PURPOSE

The Insurance Law Section (the “section” or “ILS”) includes approximately 170 members who represent the interests of insurance policyholders, insurance companies, and industry representatives in legal matters. 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 ILS, the ILS respectfully submits its annual report for fiscal year 2013-2014. We are pleased to report that by the conclusion of the fiscal year, the ILS will have presented five programs.

Section Meetings

The ILS met three times in FY 2014, each time in conjunction with a CLE program. We also sponsored a four-hour CLE program on fundamentals of insurance law. The ILS meetings were as follows:

- November 8, 2013: We hosted a meeting at The Farms Country Club in Wallingford. At this meeting, the officers of the ILS were introduced and developments with the creation of a LinkedIn Group for the ILS were discussed. Connecticut Insurance Commissioner Thomas Leonardi and Gerard O’Sullivan, program manager for consumer affairs for the Connecticut Insurance Department, spoke about topics of importance to Connecticut consumers and the insurance industry. Commissioner Leonardi spoke about the Insurance Department achievements, including the newly enacted mediation program.
- January 23, 2014: The ILS sponsored a CLE program on fundamentals of insurance law at UConn Law School. More than 60 attendees attended the program. Before the program, a number of ILS members joined faculty and students from the UConn Insurance Law Program at lunch to discuss the practice of law and other topics of interest to the faculty and staff. Following the CLE program, we hosted a networking cocktail reception sponsored by Cusato Consulting LLC, which provided an opportunity for ILS members and students from the UConn Insurance Law Program to socialize and network. We were joined by Timothy Fisher, Dean of UConn Law School, who spoke to those in attendance about his appreciation of the efforts of the ILS to work together with UConn’s Insurance Law Program on education programs of interest to UConn law students and exposing the students to practicing members of the Connecticut bar.
- March 14, 2014: We held a dinner meeting at The Quinnipiac Club in New Haven. At the meeting, ILS members discussed the creation and operation of the ILS LinkedIn Group and encouraged members to join and participate. Regen O’Malley of Gordon Rees and Edward McCreery of Pullman Comley presented summaries of significant insurance coverage decisions from 2013.
- May 13, 2014: We held a dinner meeting at Anthony’s Ocean View in New Haven, which included a lobster and clam bake dinner. At the meeting, we discussed the accomplishments of the ILS during the year and provided an update on the ILS at the Connecticut Legal Conference.

The meeting included a discussion on marine insurance presented by Kurt Odell of Moran Towing and Clairisse Orozco of Tisdale Law Offices.

- Connecticut Legal Conference: At the Connecticut Legal Conference on June 16, 2014, the ILS will present a CLE program entitled, "Insurance Discovery In-Motion," which will include an interactive presentation on discovery issues that arise in insurance coverage disputes. ILS members who will participate on the panel discussion include: Melissa Federico from Murtha Cullina LLP, Robert Laurie from Seiger Gfeller Laurie LLP, Michael McCormack of Hinckley Allen & Snyder LLP, and Jeremiah Welch from Saxe Doernberger & Vita PC.

Executive Committee Meetings

By July 1, 2014, the executive committee of the ILS will have met three times in fiscal year 2013-2014, once at the CBA headquarters in New Britain, one time at The Quinnipiac Club and another time at a location to be determined. Our by-laws permit attendance by any interested ILS member and also permit attendance by teleconference. The meetings were as follows:

- September 25, 2013: At the first executive committee meeting, the following officers were elected: Regen O'Malley, Vice Chair; Marilyn Fagelson, Treasurer; and Gregory Podolak, Secretary. Marilyn Fagelson and Elizabeth Ahlstrand agreed to serve on the Education Committee of the ILS and to assist with the development of ILS education programs. Ryan Suerth agreed to lead the Legislative Committee and track legislation of interest to our section. Goals and agendas for the fiscal year were discussed as well as planning section meetings and CLE programs.
- March 14, 2014: The meeting included discussions on topics for the Connecticut Legal Conference and ILS executive committee and officer appointments for 2014-2015. A financial report was provided and a discussion of attracting new members took place.

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.

Much was accomplished this year by many members of the ILS working together. The chair of the section communicated with all section members on a regular basis through email and LinkedIn, keeping them informed of ILS activities and encouraging members to be active participants in section activities. The establishment of the ILS LinkedIn Group will help further interactive on-line discussions among ILS members. The ILS hopes to continue to increase interest and participation by more members in Fiscal Year 2015.

In closing, it has been an honor and privilege to serve as chair of the ILS from July 2012 through June 2014.

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

This annual report, our third, ends the formative cycle. Its predecessors were about *becoming* and *being*; this one is about *consolidating*, *building*, and *visioning*—consolidating achievements, building new service, and visioning next challenge as leadership transitions.

Meetings

Our section has thus far held three meetings distributed evenly through the year: August 7, 2013; November 7, 2013; and February 11, 2014. Its fourth and final session will, by general consensus, take place at the June 16, 2014 annual conference: an ideal moment to assess what is and project what will be.

Consolidating Achievements

Bylaws Revision

After thoughtful discussion, the section accepted draft updated bylaws at its August 7 meeting. That document, adopted by the Board of Governors on 16 December 2013, now holds official status. Incorporating most language embedded in the CBA model code, it embodies one distinctive provision: namely, that the Immediate Past Chair remains an Executive Committee member. This decision insures continuity and, thereby, further strengthens the Succession Plan set forth below.

Succession Plan

Four initiatives are envisioned for building long term--and fully informed—leadership. The first, selecting a strong experienced 2014-2015 Executive Committee, is complete. Three other initiatives move rapidly forward. One involves compiling a *strategic documents* folder: procedures manual with time-lines, membership list, meeting minutes, and annual reports. Another requires creating a *comprehensive documents* folder for archival purposes. The third initiative involves distributing both document sets at our June 16 Annual Conference meeting: a strategic moment best suited for leadership transition.

Advocacy

Last year, Connecticut law librarians figured importantly in successful efforts to pass P.A. 13-17 entitled *An Act Concerning the Adoption of the Electronic Legal Material Act*. This year, attention focused upon its first consequence—transitioning the official [Regulations of Connecticut State Agencies](#) into electronic format under P.A. 13-274 on 1 October 2014. All efforts went to assuring that this dramatic transition achieve success. To that end, library professionals participated vigorously in the October 22-23

Governor's Meeting on the Transparency and Accessibility of the Regulations of Connecticut State Agencies: a gathering convened to perfect the new E-Regulations system.

Another legislative interest, being monitored in conjunction with the Connecticut Library Association, involves shared concerns about making electronic books more affordable for public libraries. The Consumer Protection Study mandated last year by S.A. 13-10 emerged on January 30. Most important, among several findings, was the recommendation to build a Connecticut e-book platform. H.B. 5477, entitled *An Act Concerning a State-Wide Platform for the Distribution of Electronic Books*, emerged shortly thereafter. Favorably reported by General Law, it won House passage on April 16 and currently resides on the Senate Calendar. Bonding funds will be needful to finance first development. Much encouragement arises from the inclusion of \$2.2 million for that purpose in the bonding bill.¹ An agenda item in recent meetings, all discussion suggests strong support for the public library position: a support that—if necessary—might have translated into a section position going upward seeking LPRC recommendation and BOG adoption. It appears that matters are far enough advanced not to require these steps. Sufficient it is, therefore, to affirm again our strong alliance with public library colleagues as they strive for best service to all Connecticut citizens.

Education

Our Continuing Legal Education offerings have, since foundation two years ago, moved from strength to strength. Its centerpiece this year, *Argue Like a (Social) Scientist: Data & Statistics Skills for Attorneys & Legal Scholars*, will be presented by Sarah Ryan—Empirical Research Librarian at Yale Law School—during the June 16 annual conference. Two others remain, directly or potentially, in the wings. One involves a webinar version of *Zen & the Art of Googling* offered last June with high success. Another possibility, suitable for either in-person or webcast, is *Hacking the Litchfield Law School*: a historic program about the Yale-based Litchfield Notebooks Project. Vice-Chair Jason Eiseman, Yale Reference Librarian Jordan Jefferson, and Litchfield Historical Society Curator Linda Hocking delivered this fine lecture at the April CLA Conference.

Outreach

Two objectives guide present efforts. One is Proving the Value of Law Libraries; the other, Recruitment. Both move forward through publication with enhanced web-presence. Two visions—one accomplished, the other projected—advanced our approach this year. Section Secretary Nancy Marcove published *Untangling a Tangled Web: Tips on Purchasing Electronic Legal Research Resources* in 24 CL No. 1 (July/August, 2013). The second vision, inspired by Sarah Ryan, entails gathering previously published law librarian articles and—with permission from original journals—incorporating them in our website. Such activity, further enhancing our professional profile, will encourage new membership.

Building New Service

Data Base Evaluation

Our CBA LLS Database Evaluation Project—aimed at assessing the relative merits of Casemaker, Fastcase, and Smart Litigator—opened innovative pathways toward proving library value. Four law librarians labored intensively from late June through early October, drafting what became a 63 page evaluative report: Sarah Ryan—Empirical Research Librarian, Yale Law School Library; Catherine Dunn—Head of Reference Services, University of Connecticut Law School Library; Janis Fusaris—Reference Librarian, University of Connecticut Law School Library; and Jon Stock—Connecticut Judicial Branch Law Libraries (Ret.). The end result, submitted 11 October 2013, gained universal commendation from all decision makers. Combining inductive with deductive analysis, it also sets a new model for Research and Development. That model offers opportunity for application to far larger projects.

Access to Justice and Libraries

This year witnessed strategic change: change favorably transforming the landscape for *public* law libraries. That change resides in linkage with the national Access to Justice initiative—an initiative now recognizing our institutions as essential. The Connecticut Judicial Branch Access to Justice Commission has established an Access to Justice Commission Workgroup on Libraries at Access to Justice. Its charge mandates outreach to public libraries which—given larger staff, longer opening hours, and important resources—can effectively support expanded service to self-represented citizens.² Our Law Librarians Section, its Chair appointed a Work Group member, actively participates in a process vital for advancing CBA *pro bono* objectives.

Visioning Next Challenge

Four years ago, public law library closure challenge impelled response; and, key to that response, was forming our CBA Law Librarians Section in 2012. That response has been effective. Official recognition that Access to Justice cannot exist without citizen access to legal information changes all bets. Few now argue that libraries are needless since “everything is free on the internet.”

Changing times, however, breed new challenge. Yesterday, public law libraries were imperiled; now, academic law libraries are on the block. Economic decline linked with shrinking job markets make a J.D. less attractive. Being less attractive shrinks enrollment; and shrinking enrollment, potentially, closes law schools. It also, potentially, closes their law libraries. Overcoming that potential is next charge. That charge demands academic leadership and—providentially—that section leadership emerges next. Our torch passes to a new generation. It could not reside in better hands.

Respectfully submitted,
Jonathan C. Stock, Chair

¹ S.B. 29 §2(h)

² <http://www.jud.ct.gov/Committees/access/lib/Charge.pdf>

PURPOSE

The purpose of this section is to promote the educational and professional objectives of the Connecticut Bar Association within the practice area of issues and concerns to Lesbian, Gay, Bisexual, and Transgender (“LGBT”) individuals in the profession, which includes (1) monitoring the progress and enhancing the status and opportunities available to LGBT individuals in the legal profession; (2) providing LGBT attorneys, as well as, non-LGBT individuals that are members of the Connecticut Bar Association with an opportunity to share concerns, communicate, and network with one another in a supportive forum; and (3) promoting the participation of the Connecticut Bar Association in substantive areas of law and legislation that present issues of particular concern to LGBT individuals in the profession, and to those who seek legal services.

Our main goal this inaugural year was to gauge interest in the section and build membership, which we have done with over 65 members to date.

ANNUAL REPORT

Officers

The section’s officers for the 2013-2014 bar year have been:

Jessica Grossarth, Chair; Pullman & Comley LLC, Bridgeport
Meghan Freed, Vice Chair; FreedMarcroft, Hartford
Erick Russell, Treasurer; Pullman & Comley LLC, Bridgeport
Teresa DiNardi, Secretary; The Ruane Attorneys, Wethersfield

Meetings

Our section held four meetings during the 2013-2014 bar year, with executive committee meetings held directly prior to each meeting. Aside from the first meeting at O’Toole’s in New Haven, each of our general meetings had a speaker in addition to the networking component, as follows:

September 12, 2013: O’Toole’, New Haven—Section Kick-Off Happy Hour;

November 13, 2013: Max Downtown, Hartford—The Honorable Andrew McDonald addressed the crowd regarding LGBT rights, where we have come from and where we are headed.

February 27, 2014—Geronimo’s, New Haven—Jennifer Levi of GLAD addressed the crowd on the Transgender Rights Project

May 8, 2014: FreedMarcroft, Hartford—Luke Bronin, general counsel to the Office of Governor Dannel Malloy; Attorney Bronin addressed the crowd regarding what actions are taken to assist the governor with LGBT issues including commentary about the role of diversity in the judicial appointment process.

The section officers will remain the same for the 2014-2015 bar year.

Section Sponsorships

November 22, 2013 UConn School of Law DOMA/Windsor Symposium entitled “Supreme Change: The Legal Landscape After Windsor and Perry,” which featured Anne Stanback, Mike Lawlor, Mariko Hirose

of NYCLU (on the Windsor brief), Tim Fisher, Ken Bartschi, Meghan Freed, Kristen Marcroft, and Leslie Jennings-Lax.

March 20, 2014: CBA Women in the Law Section Pathways To Leadership Dinner; the LGBT Section used section funds to sponsor a table of ten to support our sister section.

LITIGATION SECTION

JAMES A. BUDINETZ, CHAIR

PURPOSE

Article I, Section 2 of the Connecticut Bar Association Litigation Section Bylaws, as amended and approved by the Board of Governors on November 12, 2013, provides that the Section's "purpose is to promote the educational and professional objectives of its members within the practice area of litigation and civil justice, including legal education, advancement and monitoring of legislation, advancement of an effective and efficient system of justice, enhancement of relations between the bar and judiciary, and, generally, the promotion of advocacy, civility and professionalism in the practice of law."

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.

ANNUAL REPORT

Meetings

The Litigation Section convened both Full Section Meetings and Executive Committee Meetings between September, 2013 and May 2014. 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 26, 2013, October 28, 2013, December 11, 2013, February 7, 2014 (telephonic Executive Committee meeting), March 4, 2014, March 17, 2014 (telephonic Executive Committee meeting), April 7, 2014, and May 5, 2014 (to be held). Excerpts from the minutes are reprinted below.

September 26, 2013

The Honorable Chase T. Rogers, Chief Justice of the Connecticut Supreme Court, addressed the Section for the inaugural meeting of the year. Chief Justice Rogers outlined several positive changes in the judicial branch as a result of bench-bar cooperation. She explained that the judicial branch had implemented a strategic plan that has resulted, *inter alia*, in an increased use of the internet for easier filing of administrative appeals, increased and improved outreach to the bar, free annual library training for attorneys, increased pro bono activities, a pilot individual calendaring program, and enhanced ADR programs. Out-going Chair Leonard Isaac was also recognized by the Section for his service, leadership and dedication during his term as Section Chair. Scott Harrington, William O'Sullivan and Andrew Nevas were confirmed as acting Vice-Chair, Treasurer and Secretary, respectively.

October 28, 2013

The Section unanimously passed a motion that amended the Section's Bylaws for the first time since 1996. The changes included a modification of the Section's purpose and provided for electronic notice of meetings and the ability to confer and vote via electronic means. All of the prior year's Committee's chairs agreed to continue to serve. Jay Wolman, Joe Blyskal, and Jessica Pace of the Connecticut Bar Association presented a step-by-step demonstration of the Litigation Section's new LinkedIn page that is designed to allow increased debate and sharing of information.

December 11, 2013

The Litigation Section welcomed 11 members of the CBA's Young Lawyers Section who attended the meeting as Section guests. An important initiative this year is to foster a stronger relationship between the Litigation Section and YLS Section. Michael Koskoff, principal of Koskoff, Koskoff & Bieder, shared his observations and insights from trying the *Katherine Jackson v. AEG Live* action in Los Angeles. The presentation included video clips and a fascinating insider's view of the events.

February 7, 2014 (Telephonic Executive Committee Meeting)

The Executive Committee convened for the purpose of discussing changes to the Practice Book Rules governing summary judgment proposed by a working group of the Civil Commission. After much discussion, the issue was tabled until the next regular meeting of the Litigation Section.

March 4, 2014

The Section again addressed the proposed changes to the summary judgment rules. After further discussion, the Section voted 8-6 to oppose the proposed changes. In addition, the Section voted to oppose a proposed bill that would change the cost allocation for obtaining documents from a Connecticut resident for litigation pending outside of Connecticut. There was a presentation by former Connecticut Supreme Court Justice C. Ian McLachlan and Appellate Attorney Linda Morkan of Robinson & Cole regarding the implications of the Connecticut Supreme Court's very recent decision in *Blomberg Associates Worldwide, Inc. v. Brown and Brown of Connecticut, Inc.* The decision addresses when an appellate court can raise issues *sua sponte* and clarifies a somewhat confusing area of the law.

March 17, 2014 (Telephonic Executive Committee Meeting)

The Executive Committee convened to discuss the Section's presentation at the upcoming Connecticut Legal Conference (formerly known as the Annual Meeting). After discussion, the Executive Committee approved Robert Musante as the speaker. Mr. Musante will present two seminar presentations on deposition practice. The Chair was authorized to spend up to \$5,000 on the presentation, with the expectation that the Chair would continue to seek a third co-sponsor to reduce these costs.

April 7, 2014

Attorney Robert Zaslow, current Chair of the Family Law Section, discussed the recent controversy concerning the Family Court system, including the criticism leveled by certain groups against lawyers and judges online, in the press, and before the legislature. The Section was also updated on possible future rule changes and the developments in connection with the proposed legislation for deposition costs. The Section's presentation at the Connecticut Legal Conference will be co-sponsored by the Commercial Law and Bankruptcy Section and the Federal Practice Section.

May 5, 2014 (to be held)

The Section is in the process of planning a meeting to be held on or about May 5, 2014. The presentation will generally cover the events unfolding in the Ukraine, and will feature retired Superior Court Judge Silbert and Lilia Hrekal. Although the presentation will not be confined to legal issues, the legality of these changes and the impact on the legal system in the Ukraine will be discussed.

CLE

The Litigation Section will have sponsored two continuing legal education seminars by the end of this CBA year. At the Connecticut Legal Conference, the Litigation Section is co-sponsoring two separate seminars on deposition techniques that will be presented by nationally known lecturer Robert Musante.

Legislative and Related Efforts

As discussed above, the Litigation Section opposed House Bill 5343 that sought to require out-of-state litigants to pay all costs associated with a Connecticut resident's appearance at a deposition or document production in connection with litigation pending outside of Connecticut. The Section appeared before the Judiciary Committee and formally expressed the CBA's and the Section's opposition to this legislation. Thereafter, the Section members had follow-up meetings with the legislator who proposed the bill to determine if a compromise could be reached.

In addition, the Section appeared at the March 2014 meeting of the Civil Commission to express the Section's opposition to the proposed changes to the summary judgment rules.

Bylaws

The Section voted to amend its Bylaws on October 28, 2013. The Amended Bylaws were approved by the Board of Governors on November 12, 2013.

From the Chair

It has been my pleasure and privilege to serve as the Litigation Section Chair for the past year. It is with great enthusiasm that I look forward to a productive Connecticut Legal Conference and next year. I am deeply indebted to outgoing Chair, Leonard Isaac, and the current officers Scott Harrington, William O'Sullivan and Andrew Nevas for their exceptional work and commitment this year.

PARALEGALS SECTION

REGINA C. GRAZIANI AND JENNIFER ZAKRZEWSKI, CO-CHAIRS

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

Meetings/CLE

September 2013

An executive committee meeting was held in September 2013 where we appointed and elected officers.

November 2013

A continuing legal education meeting was held on November 13, 2013. Our guest speaker was Joshua LaPorte, a paralegal student employed at the University of Connecticut Law School library. Mr. LaPorte's presentation was entitled "Legal Research Tips and Tricks for the Paralegal." The presentation then continued with a discussion of different methods of internet and text-based research and search and filtering tools and tips, what constitutes primary versus secondary source material, the importance of constant updating, and the value of discussing your research issue with others and asking for assistance.

January 2014

A meeting was held on January 8, 2014. Our guest speaker was LaReese Harvey, Director of Strategic Relations at A Better Way Foundation. A Better Way Foundation is a Connecticut based non-profit organization that is "dedicated to a sensible shift in drug policy from one of incarceration to substance abuse treatment and public health." The organization focuses on research, education, advocacy, community organizing, and development and training in the areas of drug policy, criminal justice reform and public safety.

March 2014

On March 12, 2014, Attorney Colette Griffin (co-chair of the Animal Law Section) gave an overview of the various animal law topics currently at issue and the process of getting legislation passed.

May 2014/June 2014

On May 14, 2014 Heidi Zabit (paralegal) will present an overview of e-discovery. In June 2014, retired Supreme Court Justice C. Ian McLachlan will present on the results of the CBA Task Force on the Future of the Legal Profession. The Paralegals Section has invited the boards of other paralegal associations throughout the state to attend the June presentation. We are looking forward to both presentations.

Fundraising

On October 9, 2013 the Paralegals Section co-sponsored a successful fundraiser for the Connecticut Innocence Fund at the University of Connecticut Law School with the Connecticut Bar Foundation. The Connecticut Innocence Fund provides funds to help wrongfully imprisoned individuals start their new life after prison until they receive compensation from the State of Connecticut. The event raised over \$4,000.

PLANNING AND ZONING SECTION

MATTHEW 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 31, 2014, our section co-sponsored a continuing legal education seminar with the Young Lawyers Section entitled "Tips and Traps in the Land Use Approval Process and Litigation" at the CBA Law Center in New Britain.

Monthly Meetings

This section has continued to have monthly meetings in New Haven. We have addressed a number of important topics such as sustainable zoning, on-site clean energy projects, coastal resiliency and hazard mitigation planning, hybrid-form-based zoning, the Land Use Litigation Docket, *MacKenzie v. Planning and Zoning Commission*, standing and jurisdiction in land use appeals, and 10 Lawsuits waiting to happen.

We have been pleased to have as outside speakers the Hon. Marshall K. Berger, Jr.; Hon. Dale Radcliffe; Selya Price and Brian Farnen from the Clean Energy Investment and Finance Authority; Joseph MacDougald from UConn Law School; Dominick Caruso from the City of Meriden; Michael Wang, from Form + Place, Inc.; David Murphy from Milone & MacBroom; and Alexander Felson from Yale University.

We held joint meeting with the Greater Meriden Chamber of Commerce and with the University of Connecticut Center for Energy and Environmental Law.

Legislation

Our legislative liaisons, Attorney Dori Famiglietti and Mario Coppola, have provided us with regular updates of important legislation. Although there were several bills of interest proposed at the General Assembly, the section did not take a position on any legislation this session.

From the Chair

The Planning and Zoning Section had another very good year. We made an effort to identify and invite speakers on a number of emerging topics that are sure to affect our practice for years to come such as on-site clean energy, sea level rise, coastal resiliency, and hazard mitigation planning. Many towns and property owners are only now beginning to understand and plan for the potential impacts these topics may have on the fabric of their communities and our members will be ready and well informed on these topics when their clients call for legal assistance. We also addressed a number of more traditional topics, including the continued interest in form based zoning, recent case law and practice pointer from two Judges that handle significant land use case loads. In addition to all of this, our section has continued to enjoy the highest level of collegiality and cooperation among members. It has been a pleasure and an honor to work with the section officers, Eric Knapp, Beth Critton, and Amy Souchuns and to chair such a fine section for another year.

PROFESSIONAL DISCIPLINE SECTION

RICHARD A. CERRATO, CHAIR

PURPOSE

The Professional Discipline Section's purpose is to promote the educational and professional objectives of the Connecticut Bar Association within the practice area of professional discipline law. The section's activities include reviewing the procedures involved in disciplining attorneys and drafting, or assisting in drafting, changes to the rules that govern the Statewide Grievance Committee, Office of Disciplinary Counsel, the Connecticut Superior Court, and the bar. The section achieves these purposes by providing relevant Continuing Legal Education to its members, providing relevant updates to its members of important developments concerning the practice area, fostering discussion of current issues affecting the practice area, and engaging in legislative advocacy on issues relating to the practice area in accordance with procedures established by the Connecticut Bar Association. The section prepares the Professional Discipline Digest, which appears four (4) times per year in *Connecticut Lawyer* magazine.

Officers

Richard A. Cerrato, Chair
Stephen J. Conover, Vice Chair
Michelle C. Laubin, Secretary
Cindy R. Slane, Treasurer

Executive Committee

Richard A. Cerrato, Stephen J. Conover, Michelle C. Laubin, Cindy R. Slane,
Myles H. Alderman, Lois B. Anderson, Samuel Braunstein, Robert B. Clark, Karen L. Dowd, John Q. Gale,
Verna B. Lilburn, Susanne Snearly

ANNUAL REPORT

Meetings

The Professional Discipline Section (PDS), f/k/a Professionalism Section, has met four times during the current membership year to date. Another meeting is scheduled for May 14, 2014. Our agenda items have included proposed rule modifications to the Superior Court Rules, which have originated from the Judicial Department, Connecticut Law School Deans, Office of the Chief Disciplinary Counsel, and the Statewide Bar Counsel.

The PDS has formally supported amendments to Section 2-53 of the Rules concerning "Reinstatement after Suspension, Disbarment or Resignation" proposed by the Office of Chief Disciplinary Counsel and Statewide Bar Counsel to the Superior Court Rules Committee. The rule, including the amendments suggested by PDS, became effective January 1, 2014.

The PDS also supported with amendments to Sections 2-40 and 2-41 concerning discipline of attorneys after conviction of a felony which has been approved by the Rules Committee.

The PDS had a joint meeting with the Unauthorized Practice of Law Committee on January 7, 2014 where both entities opposed a rule change to Section 2-13 of the Practice Book submitted to the Rules Committee by the three law school deans in Connecticut. The proposal is designed to allow for admission of law school faculty members to the Connecticut bar without examination. Both entities

voted to restrict such admission to educational or pro bono endeavors. However, given a conflict with another committee, the CBA has not taken a formal position on the issue. This matter is scheduled for a public hearing on May 19, 2014.

The section has also examined proposed changes to Rule 2-39 of the Practice Book concerning reciprocal discipline with other jurisdictions and interim suspension of attorneys. This is a continuing matter of discussion that will also be addressed by the Rules Committee of the Superior Court in the Fall of 2014. The PDS intends to provide input on this matter to the Rules Committee.

The PDS also has recommended support for a proposed New Rule Section 1-25 of the Practice Book concerning actions subject to sanctions with certain amendments that assure for procedural fairness. The PDS intends to present its suggestions and concerns to the Rules Committee at the public hearing scheduled for May 19, 2014.

The PDS voted unanimously to change its name from the Professionalism Section to the Professional Discipline Section so as to reflect its emphasis on the disciplinary process. The section also amended its Bylaws in accord with its purpose. These changes were approved by the CBA Board of Governors on April 15, 2014.

Executive Committee Meetings

The Executive Committee has met on December 7, 2013, March 19, 2014 and May 14, 2014. It generally meets one half hour prior to the general section meetings.

Continuing Legal Education

The section is working to establish its standing committee on Continuing Legal Education and intends to prepare a program in the 2014-2015 Bar year.

Publications

Section members have prepared the *Professional Discipline Digest* and synopses of the decisions have been published in *The Connecticut Lawyer*. Section members involved in the publications include John Gale, Mark Dubois, John 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 which impact lawyer discipline. Currently, those members are Robert W. Clark and Jennifer M. Celentano.

REAL PROPERTY SECTION

ELTON B. HARVEY III, 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

Elton B. Harvey, III, Chair
Matthew Cholewa, Vice Chair
Brian S. Cantor, Treasurer
Edward S. Shelton, Secretary

Meetings

The Real Property Section, one of the largest and most active sections in the Connecticut Bar Association, has presented the following programs at its monthly meetings commencing in September 2013 through May 2014 to provide professional development and enrichment to its members:

- Current Condominium Practice – What You Need To Know
- The Times They Are A-Changing - Overview of the changes in the practice of real estate law including ethical issues
- Are You About To Be CFPB'd? – Challenges to the Residential Real Estate Lawyer caused by the new CFPB rules
- Is Orange The New Black? – Discussion of Ethical Pitfalls Facing Practitioners and Criminal Prosecutions for Ethical Lapses
- Tax Credit Transactions For Dummies – Primer on Tax Credit Deals
- Point/Counterpoint: A Discussion of Commercial Leasing Issues
- Don't Bogart that Lease, My Friend: - legal and ethical issues in the representation of medical marijuana facilities.

Legislation

The Legislative Committee is made up of Attorneys Matthew Cholewa, Carolyn Cavolo and Edward M. Rosenblatt who monitor legislation of interest to real estate attorneys and lead discussions and evaluations of proposed legislation. The Section again supported House Bill 5219, entitled "AN ACT CONCERNING MAINTENANCE OF PRIVATE EASEMENTS AND RIGHTS-OF-WAY." The Bill was proposed in response to a provision in the FNMA Selling Guide 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 in Support of the following legislative matters:

- Raised SB 130 - AN ACT CONCERNING THE PAYMENT OF FIRST OR SECONDARY MORTGAGE LOAN PROCEEDS BY WIRE TRANSFER - legislation which would have reinstated prior law requiring lenders to promptly fund loan closing proceeds. Testimony was offered in support of the Bill by Attorney William Stokesbury.
- Raised HB 5218 AN ACT CONCERNING THE ADOPTION OF THE UNIFORM PARTITION OF HEIRS' PROPERTY ACT – legislation to bring Connecticut in line with Uniform Laws concerning disposition of property where there is a dispute among heirs. Testimony in support of the Bill was made by Attorney Barry Hawkins.
- Raised SB 427 AN ACT CONCERNING SMOKE AND CARBON MONOXIDE DETECTORS IN CERTAIN RESIDENTIAL BUILDINGS AT THE TIME THE TITLE IS TRANSFERRED – legislation to modify PA 13-272. Testimony in support of the Bill was offered by Attorney Elton B. Harvey, III.
- Raised HB 5219 AN ACT CONCERNING MAINTENANCE OF PRIVATE EASEMENTS AND RIGHTS-OF-WAY – legislation to clarify the rights of owners adjoining a private right of way when no agreement exists. Testimony in support of the Bill was presented by Attorney William Lewis.

The Section opposed Raised Bill No. 270, “An ACT CONCERNING COMMERCIAL REAL ESTATE CONDITION REPORTS” – legislation which proposed to require disclosures in commercial closings similar to those required in residential closings.

Initiatives

The Section supported the publication of the Standards of Title by the CBA and was successful in getting the CBA leadership to offer the Standards at no cost to members of the Real Property Section.

The section will make a \$1,500 award each to a law student at the University of Connecticut School of Law and the Quinnipiac University Law School who has demonstrated exceptional academic excellence in the area of real property law.

Under the leadership of Attorney Edward M. Rosenblatt, the Residential Real Property Certification Program appointed a subcommittee to create and administer the examination to be given in connection with certification of residential real property practice in the State of Connecticut. The examining committee has been meeting throughout the year and it is expected that the examination will be completed and ready for approval by the Screening Committee by the early fall of 2014.

A major on-going initiative reached a milestone in September, 2013, with the Model Residential Contract Committee, co-chaired by James Nugent and Eugene Marconi, presenting a final version of the Connecticut Residential Purchase and Sale Agreement for approval at its September meeting. The Model Contract was approved after spirited debate but tabled by the CBA House of Delegates after opposition from the Fairfield County Bar Association. The Model Contract Committee has been reconstituted to involve lawyers from each county in Connecticut and the amended mission is to educate the local Bar and affinity groups about the benefits of such a statewide contract. The Section is using a portion of its time at the Connecticut Legal Conference to provide an educational component about the Model Residential Contract.

The Section approved the appointment of two subcommittees, a Social Committee, whose mission was to provide a vehicle for the Executive Committee to participate in outreach activities to advance the role and image of real estate lawyers, and an Unauthorized Practice of Law committee, to work with the CBA

Unauthorized Practice Committee to identify and address unauthorized practice issues in real property law.

The Social Committee has organized a social networking event at the Thomas Hooker Brewery in Bloomfield Connecticut that attracted 43 participants, including law students, recent law school graduates, Young Lawyers Section members, and Executive Committee members. On May 13, 2013, the Section is sponsoring a day of service to Habitat for Humanity in New Haven.

In addition to the educational program on the Model Residential Contract presented by Attorneys James Nugent, Charles Janson, and Michael Romano, the Section will be presenting its Annual Review of Cases and Statutes at the Connecticut Legal Conference on June 16, 2014. Attorneys Eugene Marconi, Valerie Votto, Lisa Lugauskas and Stephen Bacon will be presenting.

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 had five meetings, all of which were open to all members of the Section.

At the September 10th meeting, Senator Anthony Musto was the guest speaker. Senator Musto spoke about his Offer of Compromise bill and also discussed the legislative process in Connecticut with a particular emphasis on the impact that Section support may have on a bill. Section business focused on plans for the coming bar year and included a discussion on the section's newsletter and website, future meetings and joint meetings with other sections, and section membership growth and participation.

The November 14, 2013 meeting included reports from various subcommittees and a special presentation from Senator Toni Boucher, Chief Deputy Minority Leader.

The January 16, 2014 meeting featured guest speaker Kevin Sullivan, Commissioner, Department of Revenue Services, in addition to routine business and sub-committee reports.

The March 19, 2014 meeting included routine business and various sub-committee reports. A suggestion to form a new Committee for Proposals to the CT DRS was also discussed.

The final meeting of the year is scheduled for May 22, 2014. The guest speaker will be Professor Richard Pomp from University of Connecticut School of Law. Professor Pomp is an internationally known authority on local taxation and will provide an update on new tax developments.

CLE

The Tax Section continues to play an active role in presenting CLE seminars for the bar.

On November 15, the section sponsored a 3-hour program on "Tax Considerations in Choice of Business Entity." The speakers included John Palmeri, Laura E. Pisarello, Michael Spiro, and Luke T. Tashjian. Richard Convicer moderated and Frank Berall gave a special update on the tax implications of DOMA.

On November 22, the Tax Section co-sponsored a program on the repeal of the Defense of Marriage Act (DOMA) and the Windsor case with the Young Lawyer Section and LGBT Section. John Palmeri presented the tax implications of the *Windsor* decision.

On January 27, the Tax Section co-sponsored “Common State and Federal Issues in Bankruptcy Proceedings” with the Young Lawyer Section and Commercial Law and Bankruptcy Section. The program faculty included Jeffrey M. Sklarz of Green & Sklarz, Assistant US Attorney Ann M. Nevins, and Assistant Attorney General Denise Mondell. The seminar addressed issues concerning dischargeability, treatment, and classification of tax claims.

On March 21, the Tax Section and Business Law Section held a joint CLE on “Connecticut's New Entity Transactions Act: A Roadmap to the New Act and Related Tax Issues.” The program faculty for the Tax Section included Morris W. Banks, Matthew H. Gaul, and Luke T. Tashjian.

On May 15, “Tax Issues in Divorce: What Family Law Attorneys Need to Know” will be jointly presented with the Family Law Section at the Stamford Marriott. The presentation will review issues that arise frequently when spouses divorce, including unfiled returns, joint liability, innocent spouse and injured spouse issues, unallocated alimony and child support, and resolving back tax debts. The speakers are Eric Green and Jeff Sklarz, and Aidan Welsh of the Family Law Section is moderating.

Lastly, at the CBA’s Connecticut Legal Conference on June 16, the Tax Section will present “Understanding the New Net Investment Income Tax.” The program will cover what types of income are subject to the tax and which taxpayers are impacted by it; new final regulations with emphasis on their applicability to the new tax; the effect of the new tax on trusts and estates and how it may impact distributions by trustees; and planning pointers to minimize net investment income tax exposure. The speakers will include Richard DiMarco, Michael A. Neufeld, John Palmeri and Michael Spiro.

Legislative Efforts

The Tax Section feels it is a priority to pursue the legislative changes that it has been seeking for some time, including changing the refund statute, the burden of proof in tax cases, and creating financial guidelines for Offers of Compromise. To that end, several members of the legislature have spoken at section meetings throughout the year.

The section’s standing subcommittee on Legislative and Administrative Initiatives with the DRS, chaired by Alan Lieberman, has worked tirelessly to pursue these efforts.

Other Programs and Events

Members of the Tax Section were very involved in the Third Annual Federal Tax Institute of New England (FTINE), which is a project of the CBA and chaired by Frank Berall. (The Tax Section chair serves as second vice-chair of the FTINE). This year’s Tax Institute was given on September 27, 2013 at the Farmington Marriott. Plans are underway for the Fourth Annual Federal Tax Institute, which will take place on October 24, 2014 at the Hartford Marriott Downtown.

The Tax Section’s Communications Subcommittee, co-chaired by Lindsay LaCava and Luke Tashjian, reprised the section’s newsletter. The newsletter is emailed to all members of the Tax Section and featured articles on the Bank Secrecy Act and excerpts from the CLE, Tax Considerations in a Declining Economy.

VETERANS & MILITARY AFFAIRS SECTION

ROGER L. CROSSLAND, CHAIR

PURPOSE

The Veterans and Military Affairs Section (VMAS) is to be available to (1) coordinate CBA legal assistance to military personnel residing in the state of Connecticut, CBA legal assistance to Connecticut residents serving as military personnel stationed outside the state, and CBA legal assistance to the military legal assistance staffs which serve them; and (2) assist in resolving legal problems facing any of (a) Connecticut's veterans, and (b) active-duty, reserve, national guard, and state statute-established militia, military personnel. It is the further purpose of this section to support the mission of the association by promoting best practices in legal research and advocacy as they apply to the preceding listed purposes.

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This spring the committee prepared and reviewed new by-laws based upon the record of long list of achievements over several decades, the committee was graduated from a committee to a section.

The VMAS held three dinner meetings this year, each with a guest speaker, and each achieving about 30 percent attendance at each meeting.

In October 2013, Cinthia Johnson gave the members with one hour's training in "discharge upgrades."

In September of 2014, Vice Chair Emily Trudeau provided the members with a presentation entitled "Tales of Modern Mesopotamia."

In April of 2014, Member Winona Zimberlin provided the membership with a presentation entitled "Practicing Veteran's Disability Law from an Appellate Practitioner's Viewpoint."

CLE

The VMAS again intends to host an accreditation program in the fall of 2014, aimed at developing a cadre of certified Veterans Service Officers (VSOs) to advise veterans of their rights as veterans.

Legislative Efforts

Members of the section have been monitoring developments with regard to the Soldiers, Sailors, and Marines Fund and its continued ability to serve Connecticut veterans with concern. The section may soon find it necessary to make recommendations to the association in this regard.

Volunteer Activities

The VMAS continued with efforts to identify and assist individual veteran and active duty "clients" drawing from the sections broad representation in various facets of veterans' and military affairs. VMAS 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.

Membership

The VMAC increased its membership by 13 percent, despite losing several members at the outset of the year.

I recommend the section strive to increase its membership further since there is a “critical mass” to all section events. I believe section status will be a great help in this regard. The number of veteran/lawyers prompted by the Draft in past decades is not likely to be replicated and the section must strive to recruit and train non-veteran lawyers to fill the vacuum.

This is an opportune time to build, now with the sacrifices of our veterans still so fresh in the public mind and before any problems, especially facing recently returning veterans, become unwieldy. The times have provided us with a demand for able advocates; our professional tradition requires we must develop a knowledgeable supply.

WOMEN IN THE LAW SECTION

ALAINE C. DOOLAN, CHAIR

PURPOSE

The purpose of this Section is 1) to monitor the progress and enhance the status and opportunities available to women in the legal profession; 2) to provide women attorney's 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.

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This year the Women in the Law Committee became a fully recognized section of the Connecticut Bar Association. It appointed nine (9) members to its executive committee and the section's membership continues to grow with over ninety (90) members.

The section held one executive meeting in 2013-2014. During the meeting we discussed the annual Pathways to Leadership Dinner and the possibility of collaborating with the Connecticut Bar Foundation, the UConn Women Law Student Association, or the CBA-YLS Women in Law Committee to hold an event.

A group of the section's members held a meeting to discuss our interest in working with the Connecticut's Women's Education and Legal Fund ("CWELF"). The section is interested in creating educational materials, providing training, or initiating a quarterly clinic for women who are seeking legal advice. The group is working with CWELF to get this initiative moving forward.

The section's annual Pathways to Leadership dinner, co-sponsored with the Young Lawyers Section was again a success. The section recognized Nada K. Sizemore, of Travelers Insurance, with the Ladder Award—an award that recognizes one attorney whose extraordinary efforts help foster the careers of other new women attorney. This year's Pathways dinner also featured Teresa Younger, the executive director of the Permanent Commission on the Status of Women, as its keynote speaker. Over 100 people attended the event, held for the third year at the Inn at Middletown.

WORKERS' COMPENSATION SECTION

LAWRENCE MORIZIO, CHAIR

PURPOSE

It's not every year that the legal basis from which you Section originates has a centennial celebration. That's exactly how the Workers' Compensation Section started its bar year—celebrating the 100th Anniversary of the legislative enactment of the Workers' Compensation Act in Connecticut. I mention this in the "PURPOSE" heading as a great deal of what we accomplish is in concert with the State of Connecticut's Workers' Compensation Commission—the adjudicative body responsible for the administration of workers' compensation claims. One of our major goals each year is to promote an equitable system of compensation and medical treatment between the injured worker and employers. Chairman John A. Mastropietro's efforts throughout his appointment, and especially this year by organizing the 100th year anniversary Symposium, have given our Section and its' members the ability to achieve this objective year after year.

Our Section represents one of the most well-represented and active in the entire Bar Association. In the selection of our 35 member Executive Committee, we attempt to balance the presence of attorneys representing the injured worker (claimant) and employers/insurance carriers (respondent). We are proud to be the only current Section to offer members the opportunity become a Board Certified Specialist. In order to be certified or recertified, applicants or pending specialists are required to maintain a sum certain of CLE credits. Our Section, headed by our CLE Committee, ensures that the highest level of CLE programming is available for Section members and Specialists throughout the bar year.

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Year in Review

The 2013-14 bar year started out with a couple of summer meetings with fellow officers Joseph Passaretti (Vice Chair), Colette Griffin (Secretary), Mike Kerin (Treasurer) and David Weil (Past Chair). The passion displayed by this group is evident in what we were able to accomplish this year and I am incredibly thankful for their past and continued efforts.

Workers' Compensation Commission 100 Year Anniversary Symposium

In October, our Section celebrated the 100th year of the enactment of the Workers' Compensation Act by organizing and presenting 14 substantive programs for the Workers' Compensation Commission's Symposium (titled "Yesterday, Today and Tomorrow"). The event was coordinated by the Chairman of the Commission, John A. Mastropietro, and his staff. The members of our Section present on the Symposium Committee were Attorney Diane Duhamel, Attorney David Weil, Attorney Maribeth McGloin and I. Approximately \$122,000.00 was raised for the Disabled Workers' Scholarship Fund from the contribution of sponsors with a nexus to the workers' compensation arena in Connecticut. This contribution allowed for 10 future scholarships to be awarded to the children of injured workers' unable to provide financial assistance due to their injuries and resultant loss of income. The event was a reflection of the dynamic ability of our Section members and will be remembered as one of the most defining moments in our proud history.

The Symposium program link is attached to refresh our collective memories of the depth of quality programming provided and to demonstrate the efforts taken on behalf of the Section to make the event a special one. <http://wcc.state.ct.us/symposium2013/index.htm>

Commissioner Amado Vargas – Retirement Gathering

Sometimes, you really don't know how respected and flat out loved one person is until you have to move his retirement dinner to a castle. Commissioner Amado Vargas served on the Commission for over 20 years and the Section held his retirement dinner at the Saint Clements Castle on September 11, 2013. With the assistance of the CBA and its' incredible staff, we were able to maneuver the location from Middletown to Portland given the volume of members that signed up for the event.

Continuing Legal Education Committee

Customarily, our Section is charged with presenting two seminars for CLE credit. The seminar in the fall usually involves a full day seminar covering medical topics within a particular field (e.g. cardiology, orthopedic – anatomy and or surgical procedures pertaining to a particular body region). This year, our Vice Chair, Attorney Joseph Passaretti, galvanized the CLE Committee with a dedicated effort to secure CLE credit for the presentations offered at the Symposium in October. There were 14 substantive programs offered, 13 of which were eligible for CLE credit. Nearly 400 participants attended these seminars which were slotted in four different time frames throughout the day.

Our spring seminar usually covers important legal topics that affect our system. In May, Attorney Passaretti and the CLE Committee provided a bonus to the Section by organizing a hybrid seminar - *Nothing Up My Sleeves, Nothing In My "Hatt"* - covering the medical and legal aspects of repetitive trauma. Chairman John Mastropietro opened the seminar addressing the Commission's perspective concerning the adjudication of these claims. Dr. Daniel Mastella, a hand surgeon located in Glastonbury, offered incredible insight on conservative and surgical procedures provided for injured workers with hand and elbow injuries. Attorney Frank Costello and Attorney Terrence Brennan provided guidance on the legal aspects of bringing and defending repetitive trauma claims.

Another staple of our Section's CLE program is the annual "Exotic Seminar." This year, Attorney Kevin Coombs and Attorney Jeremy Brown continued their pattern of off-site excellence by organizing a terrific seminar at a venue in New Orleans that was top notch. Speakers, covering a wide array of topics, included Commissioner David Schoolcraft, Commissioner Stephen Delany, Commissioner Charles Senich, Dr. Gerald Becker and Attorney Robert Enright.

Finally, the Section will hold its' Annual Update in Workers' Compensation Law at the Connecticut Legal Conference on June 16, 2014. The Chairman will be present to provide his "State of the Commission" address along with other important updates involving the Commission. Attorney Jack Clarkson will offer his case law review which is always entertaining and informative. Attorney Lucas Strunk will cover what was a relatively busy session at the Legislature to address the updates affecting our Section.

YLS Initiative

As part of the Section's ongoing commitment to CLE programming, we have this year worked directly with the YLS members of the Executive Committee to organize and promote seminars that are of interested to both the more seasoned practitioner as well as those learning the trade. Our CLE Committee will work in conjunction with the YLS co-chairs of the Workers' Compensation Committee to ensure that we "bridge the gap" between young lawyers and those attorneys participating on our

Executive Committee. This was accomplished this year during the planning process for our spring seminar and will continue for the upcoming bar year.

Bylaws

Our Bar year started with a historic event and also ended with a historic achievement. In May, the Section, after nearly three years of preparation and revision, was able to secure a favorable vote to accept renewed Bylaws. The previous Bylaws were installed since 1995. This effort spanned three terms and involved the hard work of the Bylaws Committee - chaired by Attorney Robert Bystrowski. Following an initial draft of our prior version and a subsequent meld with the CBA's own model Bylaws, the Executive Committee ultimately voted to approve the final version for submission to the Section for an approval vote. The Section responded by approving the final version by an overwhelming majority in favor of adoption.

The final version has key distinct elements that make it the best working document for our Section. One change from our prior version is that the Section will now require four (4) Section and four (4) Executive Committee meetings per year consistent with the CBA model version. While the Section will have no problem achieving this on a yearly basis given the programs we currently provide, the nomenclature will allow us to highlight the many meetings we already hold without formal designation. Also, the Executive Committee ultimately decided that our "Emeritus" members - Past Chairs and EC members that have served for 20 years or more, would be best served as voting members on the Executive Committee. This provision provides our Section with great balance between newly appointed members and those that have served for a significant period and yet wish to remain active on the Executive Committee.

Our last hurdle will be to have the newly minted version adopted by the Board of Governors at their meeting scheduled for October 20, 2014.

Compensation Quarterly

Editor-in-Chief, Frank Costello continues to run one of the most focused publications offered by any Section of the CBA with the assistance of the dedicated members of the editorial board. The *Compensation Quarterly* headlines for this bar year ranged from the proper determination of compensation rates (Date of Injury v. Date of Disability), occupational stress, heart disease and heart attacks and a point/counterpoint regarding maximum benefits rates. In addition, the case comments provided in each edition serve as a valuable tool for practitioners throughout the state.

Technology and Website

The Section has taken several steps forward this year to improve the experience of our members with the use of technology. Our newly formed Technology Committee will work toward improving the content and access of our website page for our members. Attorney Maribeth McGloin and Attorney Jeremy Brown have graciously accepted to co-chair this Committee for the upcoming bar year.

Charitable Efforts

Attorney Rick Aiken and his Charitable Golf Outing Committee ran another stellar tournament at the 15th Annual Verrilli/Belkin Golf Tournament at the Shuttle Meadow Country Club. Over 109 golfers were present and over 50 sponsors contributed to the cause. After costs, over \$11,000.00 was split equally between two charities – The Connecticut Food Bank and Foodshare. We applaud the great effort by Attorney Aiken and his Committee for great causes. The event also serves as a wonderful opportunity

for our members to interact with other counsel and Commissioners socially after the outing and during dinner.

Medical/Legal Cooperative

In order to best advocate for their respective clients, both attorneys representing injured workers and employers/insurance carriers have to communicate with physicians regularly about the procedure and substance of the workers' compensation system. In an effort to facilitate these dealings, our Section has agreed to set up regional meetings with physicians throughout the state addressing the Guidelines that physicians are called upon to follow. Attorney Colette Griffin and Attorney Mike Kerin will co-chair the Committee and work with the medical community to arrange for these regional discussions addressing the Chairman's Guidelines of Cooperation and other relevant topics.

Pomeranz/O'Brien Award

This year, the Executive Committee voted to honor the career of Attorney Donald C. Cousins by awarding him the prestigious Pomeranz/O'Brien award. The award, named after two former member that dedicated their lives to the practice of workers' compensation, serves to honor those practitioners who have achieved excellence as attorneys and who have contributed to our Section. Attorney Cousins, currently residing with his family in Idaho, will be honored at the CT Legal Conference for his achievement. Former recipients include: Attorney Angelo Paul Sevarino, Attorney James Pomeranz and Attorney Robert Carter.

On behalf of my fellow Officers, I thank the Section members for their energy and commitment throughout the year. I am also extremely grateful to the Executive Committee members that dedicated countless hours to our efforts this year. I am honored to serve you and look forward to next year as your Chair.

PURPOSE

I. INTRODUCTION AND PURPOSE

The Young Lawyers Section (YLS) is the largest section within the Connecticut Bar Association (CBA) and is comprised of more than 2,200¹ CBA members who are either thirty-seven years of age or younger or have been practicing less than six years. The YLS also includes approximately 700 law student (i.e. “non-attorney”) 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

II. GOVERNANCE AND EXECUTIVE COMMITTEE MEETINGS

The 2013-2014 YLS officers are:

Chair: Chris Nelson

Chair-Elect: Emily Graner Sexton

Vice Chair: Matthew Necci

Treasurer: Dana Hrelc

Secretary: Aidan Welsh

The activities of the YLS are governed by its Executive Committee, which is comprised of approximately seventy lawyers, representing a variety of practice areas and parts of the state, who are selected each spring through an open and competitive application process. To remain in good standing, Executive Committee members are required to: attend 2/3 of designated Executive Committee and section meetings and take an active role in planning the section's programming; each member is responsible for planning, individually or in collaboration with other members of the group, such as formal continuing legal education

¹ YLS Leadership finds it notable to mention that YLS membership is the only portion of CBA membership to increase over the course of the bar year. This statistic is made more notable when viewed in light of local and national trends indicating that fewer and fewer people are attending law school and taking up the practice of law each year. Given that there are fewer people taking the Connecticut bar exam each year, the increase in YLS membership seems to indicate that the YLS is capturing a larger percentage of potential members than it has in the past. YLS Leadership attributes this increase directly to the CBA’s recent policy change which provides new admittees to the bar a free one-year membership to the CBA. YLS Leadership applauds this policy change and encourages the CBA to maintain this policy going forward.

(CLE) seminars, informal/non-traditional educational programs, networking events, public services projects or other section-wide programs.

The Executive Committee met for the first time at the Annual Executive Committee Retreat, which was held at the Mystic Marriott on June 28 and 29, 2013. Several seminars and breakout sessions were held at this meeting in order to introduce Executive Committee members to each other, orient them to CBA and YLS policies and practices, and develop much of the bar year's programming in order to maximize the Section's productivity during the remainder of the bar year from September through June. Connecticut Supreme Court Justice Dennis G. Everleigh served as the keynote speaker at the annual leadership luncheon, and provided inspiring comments and stories from his life as a young lawyer and judge. Additionally, Justice Everleigh answered questions and provided tremendous insight into the workings and future priorities of the Judicial Branch. At the luncheon, Immediate Past Chair Jonathan Shapiro 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 2012-2013 bar year a success.

Starting in September, 2013, the Executive Committee began holding its regular monthly meetings, most of which were held at the CBA Law Center for budgetary reasons. This continues a trend prevalent in recent years of having more Executive Committee meetings in New Britain. Anticipating that meetings in New Britain would have the effect of alienating YLS Members from Fairfield County, significant resources were devoted throughout the year to holding other type of events in different portions of the State, as discussed below.

III. SPECIAL EVENTS

A. Pro Bono Fair/New Admittee Welcome Reception: November 19, 2013

The annual Pro Bono Fair returned to the Mark Twain Museum in Hartford, for a similar event as was held in 2011, when the event was revised and reimagined to include a networking event welcoming the newest attorneys to be sworn in to practice in Connecticut. The event was organized in conjunction with the Judicial Branch and the Connecticut Bar Foundation and, similar to the 2011 event, focused on providing opportunities for attorneys to obtain practical experience and free training representing indigent clients by working with several of Connecticut's legal service providers. The goal of the Pro Bono Fair was that attorneys would be able to provide a valuable public service while also increasing their knowledge and experience in practice, thereby helping them become more attractive to potential employers and/or providing a foundation to develop a profitable practice representing low or middle income clients. The fair featured welcoming remarks from Superior Court Judge Elliot N. Solomon, who is Co-chairing the Judicial Branch's Access to Justice Commission. Judge Solomon spoke about the volume of self-represented individuals in Connecticut Courts and the dire need for pro bono service. Judge Solomon also passed along Chief Justice Chase Roger's gratitude for the YLS's Million Dollar Pro Bono pledge from the 2012-13 bar year. The fair also permitted the various legal services organizations to speak to and meet with attendees to discuss opportunities for pro bono service.

B. DOMA Symposium

On November 22, 2013, under the direction of YLS Diversity Director Emily Gianquinto, and with the co-sponsorship of the YLS LGBT Legal Rights Committee, Tax Committee, Estates and Probate Committee,

Family Law Committee, and Human Rights Committee, held a symposium at UConn Law School, titled "Supreme Change: The Legal Landscape After *Windsor*" which annualized the United States Supreme Court decision striking down a substantial portion of the Defense of Marriage Act. Attendance at the symposium was excellent, and included legal practitioners, law students, professors, and members of the general public. This half-day symposium included the following panels: an introduction to *Windsor* and a Q&A with one of the members of the *Windsor* legal team, from the New York Civil Liberties Union; a panel discussing the history of gay legal rights in Connecticut; a panel discussing substantive changes that have already occurred and what others may be expected due to the *Windsor* decision in the areas of family law, taxation, and estate planning and other federal benefits; and a "what's next" panel, discussing other areas of interest such as transgender rights and ENDA (Employment Non-Discrimination Act). Speakers included: Anne Stanback, who currently serves as the Director of State and National Partnerships with the Equality Federation and formerly was the executive director of Love Makes A Family; Michael Lawlor, former state representative and now CT's Under Secretary for Criminal Justice Policy and Planning; Adrian Shanker, Former President, Equality Pennsylvania; Ken Bartschi of Horton Shields and Knox; Meghan Freed of Freed Marcroft; Victoria Ferrara of Ferrara Hayden; Leslie Jennings-Lax of Lax & Truax; Kristen Marcroft of Freed Marcroft; John Palmeri of John J. Palmeri, Attorney at Law, LLC; Mariko Hirose, Staff Attorney, New York Civil Liberties Union; Tim Fisher, Dean and Professor of Law, UConn Law School; Susan Schmeiser, Professor of Law, UConn Law School; and Karen DeMeola, Assistant Dean of Students at UConn Law.

This program was one of the most significant and well put together programs the YLS has held recent years and special thanks is owed to everyone involved in planning and organizing the event.

C. Holiday Party to sponsor LEAP: December 19, 2013

Breaking from the tradition of the past three years, the YLS organized a holiday party to raise money for LEAP, an organization that helps children in high-poverty New Haven neighborhoods develop educational and leadership skills through a variety of year-round, community and school based programs. The event was held at BRIQ restaurant in New Haven and was set up as a fun networking event that brought out many YLS members who do not traditionally attend events. Through the generous sponsorship of Stratton Faxon, Wiggin & Dana, A-1 Toyota and Balzano & Tropicano, all entry fees to this event were donated to LEAP. Special thanks is owed to Stratton Faxon, the lead sponsor, who graciously matched all donations made to LEAP. The event was, in every respect, a tremendous success; boasting more than 100 attendees (many of whom were new to YLS events); receiving very positive reviews from attendees; and most importantly, raising **\$7,160.00** for LEAP.

Although the YLS was remiss to break from holding a holiday party for the children at the Billings Forge Community Center in Hartford as it had done for the past three years, the event to benefit LEAP was seen as important for several reasons: as a statewide organization, YLS leadership felt that it was important to recognize the needs of children in other parts of the state; by holding a holiday event outside of Hartford County, which had not been done in many years, the YLS would help reach out to other members who do not historically attend the event; and that by raising funds for a community based organization, the YLS could help provide more of a long-term benefit to the local community.

YLS Secretary Aidan Welsh and YLS Treasurer Dana Hrelc worked very hard to make this event one of the year's premier events and are owed a special debt of gratitude.

D. YLS GALA

On Saturday, April 26, 2014, the YLS held a gala aboard the Lady Katherine's *Mystique* on the Connecticut River out of Middletown. The unique location of the gala was not the only "first" for this event though, for the first time ever, the YLS opened the gala to another young professional group, the New and Young Professionals Group of the Connecticut Society of CPAs. YLS Leadership felt that by opening up the event to another professional group, the event would provide not only an opportunity for greater social interaction but also a tremendous opportunity for professional interaction which, in turn, would help generate life into the event and build attendance.

Despite inclement weather, the event was a great success with approximately 100 attendees, many of which had never been to a YLS function previously. YLS leadership received rave reviews of the event from YLS Members and also from members of the New and Young Professionals Group of the Connecticut Society of CPAs. Based on this feedback, YLS Leadership is optimistic for the potential for cross-marketing events with other young professional groups in the future.

YLS Treasurer Dana Hrelc is to be commended for her work in organizing this event.

IV. CONTINUING LEGAL EDUCATION (CLE) PROGRAMMING

This year, the YLS's traditional approach to CLE program was changed significantly. At the outset of the year the YLS undertook a plan to intentionally produce fewer traditional CLE programs. In an effort to provide educational programs to new lawyers at a price point below traditional CLE programs, while at the same time ease the financial strain placed on the CBA that was associated with traditional CLE programs, YLS Committees were charged with planning non-traditional educational programs. Some of these programs would be based around substantive legal topics, while others would be based on educational components associated with the business of law or topics ancillary to the practice of law. Committees were encouraged to hold these non-traditional educational programs in locations outside the CBA Law Center when possible in order to provide excitement based on venue, to reach different geographic demographics, and to help reduce costs where possible. All of the CLE programs will be explained in greater detail in part XII of this report, which encompasses the activities of the YLS substantive law committees. CLE Directors Tiffany Spinella and Sylvia Rutkowska did an excellent job in organizing both traditional CLE programs as well as aforementioned non-traditional educational programs.

V. SOCIAL PROGRAMS

In an effort to increase membership and engagement among members statewide with "fun" events, the YLS held a variety of social networking programs throughout the state. Social programs are seen as vital to the foundation of the YLS insofar as they provide the greatest opportunity for members to interact with each other since the realities of modern practice increasingly stymie new attorneys from meeting in other workplace settings such as court. In planning social programming this year, the YLS set a goal to reach out to members outside of Hartford County and made deliberate attempts to reach members in Fairfield County, which has a very large population of YLS members who generally (and understandingly) are unable or unwilling to attend events in Hartford.

The YLS held the following social events this year:

- On June 6, 2013, the YLS held a springtime networking event at The Tavern in Hartford so that some of the newest members of the YLS, such as the new admittees from the spring swearing in ceremony, could meet each other. The event had a turnout of over 50 people.
- On August 29, 2013, the YLS held a kick-off event at Agave Grill in Hartford. We had over 40 attendees, including many members who had not attended a YLS event previously.
- On September 12, 2013, the YLS held a second kick-off event at Butterfield8 in Stamford, Connecticut. We had a great turnout of approximately 50 young lawyers from Fairfield County. This event represented the first time that the YLS has held a kickoff event in Fairfield County.
- On October 23, 2013, the YLS hosted an Oktoberfest benefit for the Children's Law Center of Connecticut at the Hooker Brewery in Bloomfield. Approximately 85 people attended, many of whom had never been to a YLS event before. The entry fee of \$10 per person was donated to the Children's Law Center. The event raised over **\$1,500.00** for the Children's Law Center.
- On December 5, 2013, the YLS sponsored a Holiday Craft Beer Dinner at Coal House Pizza in Stamford. The restaurant provided a five course food pairing with beer provided by the New England Brewing Company of Woodbridge, CT. This was a unique event because it provided an opportunity extended networking in a dinner environment as opposed to the traditional cocktail-hour style of events the YLS traditionally holds.
- On February 15, 2014, the YLS held an event at the UConn Men's Basketball game against Memphis. Member's met at the Black Bear Saloon for a networking event prior to tipoff and then sat together to route on the Huskies. Despite rumors to the contrary, the YLS is not single-handedly responsible for the impressive run the Huskies made starting with that game.
- On Thursday, March 6, 2014, we held an evening of Bowling Madness at Revolutions Bowling & Lounge in South Windsor, CT. This was another non-traditional event for the YLS insofar as that it was designed as a more casual and fun event then compared to many of our traditional networking events which take place at restaurants or bars. Approximately 30 people attended, filling out all of the lanes that we purchased. The majority of the attendees were members who had never been to a YLS function before.
- On March 12, 2014, the YLS held an open section meeting at The Field Restaurant, in Bridgeport, a location the YLS has previously used for the Federal Judge's Dinner. Although the event was attended by a members who had never been to a YLS event before, looking at the event critically, attendance was below what was expected, most likely due to late planning for the event combined with poor weather conditions. It is the Chair's opinion that the event turnout was *not* indicative of the potential attendance for programs in Bridgeport in the future.
- On April 17, 2014, the Intellectual Property Committee and the Solo/Small Firm Committee hosted a networking event at Barbarie's Black Angus Grill in Danbury. This was likely the first time the YLS has done an event in the Danbury area in at least 10 years (likely more). The event was a huge success with over 50 attorneys attending in an area of the state that does not have nearly as many attorneys as some of the State's larger cities. Notably many of the attendees

reported that they were *former* CBA Members; as such much of the success of the event likely attributed to the fact that the Danbury Bar Association graciously agreed to advertise the event. To the extent that the CBA and YLS are interested in recapturing former members, the lessons learned from this event may prove instructive: advertising programs only with traditional methods makes it very unlikely non-members will attend.

- May 22, 2014, the YLS will hold its final section meeting of the year in at Indigo on the Water in Milford. This event will be open meeting with a short business session and a cocktail hour type networking reception. YLS leadership is optimistic that will be able to work with the Milford Bar Association to promote the event in order to reach a goal of 60+ attendees.
- YLS Social Directors, Walter Welsh and Daniel Lindenberg are to be noted for their commitment and hard work in planning the extremely active and successful calendar of social events that the YLS has implemented this year.

VI. LAW SCHOOL OUTREACH

In an effort to plant the seeds for future CBA membership, the YLS put a much greater importance to Law School outreach than it had in the past. The YLS continued its career panel series at the University of Connecticut Law School (UConn Law) and Quinnipiac University School of Law (QUSL). Traditionally, career panels were set up to provide insight for law students on what the practice of law is like in a particular field, from the perspective of a new attorney. However this year, the Career Panels included a new topic: “NetWORKing – How to network your way to a first job”. This change in programing is seen as important as the three year nature of law school tends to cause traditional career panel attendance to decline each year as attendance is only drawn from the incoming 1Ls who have not gone to a substantive program before.

In addition to the career panels, the YLS also attended orientations and/or welcoming ceremonies at UConn Law and QUSL whereby students were provided information on free YLS membership. The YLS also held two networking events for each of the schools, one per semester. These events were marketed in conjunction with the law schools student government as a way for classmates to meet each other at the start of a semester. Finally, the YLS sponsored “coffee breaks” at each school during the studying periods before Fall semester exams, whereby the YLS purchased coffee, bagels, etc. for the students and provided information on free YLS membership.

The list of law school outreach functions are as follows:

- August 21, 2013, Fall Semester networking event at Sidestreet Grill in Hamden with QUSL
- September 26, 2013, Fall Semester networking event at the Half Door in Hartford for UConn Law
- October 2, 2013, Career Panel at QUSL: Family Law
- January 30, 2014, Spring Semester networking event A Damon’s in Harford for UConn Law
- February 24, 2014, Career Panel at QUSL: NetWORKing
- February 26, 2014, Career Panel at UConn Law: NetWORKing
- February 27, 2014, Spring Semester networking event at the Russian Lady in New Haven for QUSL
- April 2, 2014, Career Panel at UConn Law: Alternative Careers with a Law Degree

YLS Law School Outreach Director Susan Kirkeby with the help of law school liaisons Alex Bryd, Thadius Bochain, Melanie Orphanos and Joel Reitz, planned and coordinated all of the events and programs listed above. YLS Leadership is very grateful for the tremendous work which was accomplished in Law School outreach and finds it notable to mention that in a time when law school admissions are down considerably, YLS membership of Law School members has actually increased thanks to these efforts.

VII. MODEST MEANS INITIATIVE

On January 12, 2014, after substantial research, planning and discussion, the YLS passed a Section Position to develop a comprehensive three-year plan to roll out a statewide “Modest Means” referral system which would be recommended to CBA Leadership. There are two interconnected and overarching goals for this program: the first is to develop a system to provide unemployed and underemployed attorneys a way to profitably obtain practical legal experience given the dearth of traditional associate attorney positions currently available; and the second and equally important goal is to help mitigate the long-term and systemic rise in *pro se* parties who are appearing in Connecticut courts because they do not qualify for legal aid but who still cannot afford traditionally priced legal services. The YLS believes that both issues, even individually, if left unmitigated present a substantial threat to the administration of justice.

While the details of the YLS Modest Means proposal are too voluminous to reiterate here, the corner stones of the proposal involve the creating of a Modest Means Resource Center at the CBA Law Center which attorneys who participate in the Modest Means Program can use for client meetings, research, and training. It is envisioned that this Resource Center would also provide facilities such as Wi-Fi, telephones, copiers, etc. The purpose of the resource center is to help keep costs down for attorneys who take on Modest Means cases so that representing clients at lower price points is profitable. The YLS Modest Means plan also calls for the development of training programs for the attorneys who take on Modest Means cases so that they are able to more efficiently develop practice areas of use to the community. The final component of the YLS’s Modest Means Plan is the creation of a referral system through Statewide Legal Services where potential clients will be prescreened for eligibility and referred to an attorney who participates in the Modest Means Program.

YLS Leadership has had several meetings with CBA Leadership subsequent to the passage of the YLS proposal and with the support and encouragement of CBA Leadership, a committee was formed to develop specific plans and guidelines which will be implemented in the Program’s rollout. It is anticipated that the report of this committee will be completed in the next few months; that the initial rollout of the program will begin sometime in the 2014-15 bar year with the program being fully in place during the 2015-16 bar year.

YLS Vice-Chair Matthew Necci (who will be the YLS Chair in the 2015-16 bar year) has been and will continue to spearhead this program as it is considered vital to the YLS.

VIII. PUBLIC SERVICE

A. “Lawyers in the Classroom/Kids in the Courtroom” Program

YLS Public Service Committee of Tamara Laracuenta-Rissolo, Jennifer Miller, Catlin Anderson, and Austin B. Johns, followed up on the past two years of civics education by continuing and expanding the “Lawyers in the Classroom; Kids in the Courtroom” initiative, as set forth below:

1. Mock Trial Programs

The first part of the “Lawyers in the Classroom/Kids in the Courtroom” program was to continue support our long standing sponsorship of the New Haven region of the high school competition through the recruitment of volunteer attorneys to serve as judges. This year, the YLS was able to help organize the return of this competition to the New Haven Superior Courthouse, a venue that was greatly appreciated by the participants.

YLS member Matthew Nettleton and the law firm of Wiggin & Dana deserve special thanks for their recruitment efforts and participation in this this event.

2. Classroom Visits

The second yearlong portion of the “Lawyers in the Classroom/Kids in the Courtroom” program was to arrange visits by volunteer attorneys to various school classrooms across the state in order to teach students about the importance of the rule of law, the legal process and what it is like being a lawyer in our society--perhaps even inspiring some 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. Unlike previous years this program was not limited to only elementary school students. At the request of the University of Hartford, YLS members also spoke to undergraduates about the practice of law and what life was like as a young attorney. YLS Leadership received very grateful and positive comments from school administrators and all of the attorney volunteers again reported having a wonderful time visiting with the students.

Jennifer Miller, Catlin Anderson, Austin B. Johns deserve special thanks for taking on responsibly for this program on short notice.

IX. GOVERNMENT RELATIONS: ANNUAL LEGISLATIVE BREAKFAST

On March 26, 2014, the YLS held its annual Legislative Breakfast at the State Legislative Office Building. State Representative Themis Klarides, the State’s Deputy Republican Leader, was the keynote speaker and gave remarks about current matters of interest, including how her legal practice benefited from her decision to get involved in public service, and also then current controversy regarding judicial re-appointments. The event was well attended by many state legislators and other government leaders, including Attorney General George Jepsen , 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 Goldfarb took a lead role in organizing this annual event.

X. AMERICAN BAR ASSOCIATION/YOUNG LAWYERS DIVISION (ABA/YLD) REPORT

This year, for the first time in the knowledge of YLS Leadership, the YLS did not have a representative to the ABA-YLD as the Rhode Island New Attorneys, who share a District 2 seat with the YLS, have asserted the right to that position for the two year term beginning in the 2013-14 bar year as set forth under the ABA-YLD Bylaws. Nonetheless they YLS stayed active in the ABA-YLD with the appointment of David McGuire as a liaison to the ABA-YLD. Although this liaison position did not provide the level of involvement that a traditional representative would have, the YLS was able to continue to have strong participation in ABA-YLD. The YLS was able to send a full delegation to the ABA-YLD fall conference in Phoenix and expects to send a full delegation to the ABA Spring Conference in Pittsburg and the Annual Meeting in Boston.

XI. FUTURE LEADERSHIP

Chair-Elect Emily Graner Sexton will automatically assume the office of Chair for the 2014-2015 bar year. In April, 2014, 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 2014-2015 bar year: Chair-Elect, Matthew Necci, Vice-Chair; Dana Hrelac; Treasurer, Aidan Welsh; Secretary, Jennifer Mira. It is notable that with the nomination of these appointments being uncontested, the 2014-15 bar year will be the second consecutive year that the majority of YLS Officers are women.

XII. REPORTS SUBMITTED BY YLS SUBSTANTIVE COMMITTEES

1. Administrative Law & Government Committee (Ben Abrams, Jonathan Lewin)

On December 9, 2013, the Administrative Law/Government Committee, with the Employment Law Committee, co-sponsored a CLE called "CHRO 101: From Complaint to Hearing." More attorneys registered for CHRO 101 than any other YLS sponsored CLE this year. The CLE provided an overview of the Commission on Human Rights and Opportunities (CHRO) administrative process. The seminar also included a discussion on presenting strategic evidence and on drafting position statements given the referee's expectations when rendering a decision. Speakers included attorneys Mary Kelly and Peter Murphy, who represent plaintiffs and defendants in CHRO proceedings, Michelle Mount, a CHRO hearing officer, and a the Honorable Henry S. Cohn, a Superior Court judge who heard appeals from the CHRO. Overall feedback was very positive.

On April 23, 2014, the committee co-sponsored a government networking event called "Meet the Branches." The event was co-sponsored by the Professional Responsibility Section, as well as the Connecticut Hispanic Bar Association and the South Asian Bar Association of Connecticut. The event was held at Salute in Hartford. Meet the Branches was designed to be a networking opportunity for government attorneys from all three branches. This was the event's second year and it was very successful. Roughly 60 attorneys attended the event, including attorneys employed by the judicial, legislative, executive branches of state government. Military JAG attorneys, as well as attorneys in the private practice, attended the event as well.

2. Appellate Practice Committee (Catlin Anderson, James Sexton)

The Appellate Practice Committee co-sponsored a CLE with the senior bar's Appellate Advocacy Section titled "Appellate Fundamentals," which was held on February 24, 2014. It covered

preliminary papers and filings for appeals in state and federal court, plus how to approach brief writing and oral argument. It was attended by over 40 people, including two law students. An active discussion was led by a panel of leading appellate attorneys, including Judge Michael R. Sheldon, Attorney Jeffery R. Babbin, Attorney Alinor Sterling, and Attorney John W. Cerreta.

The Appellate Practice Committee also, once again sponsored its annual Appellate Advocacy Dinner on April 30, 2014. About 30 young lawyers, including a few law students, attended and were treated to this year's keynote speaker, the Honorable Judge Christopher F. Droney of the United States Court of Appeals for the Second Circuit. This is the first time that a judge from a circuit court has spoken at this event. In addition to sharing practice tips for effective trial and appellate advocacy, Judge Droney answered a question from virtually every person in the audience.

3. Children and the Law Committee (Tara Dugo, Kristin Wolf)

On October 29, 2013, the Children and the Law Committee presented, along with the Family Law Committee a CLE titled: "The Ins and Outs of Custody Evaluations." Attorney Gaetano Ferro; Dr. Eric Frazer, a licensed clinical and forensic psychologist; and the Honorable Judge Gerard Adelman, a judge sitting on the State's Regional Family Trial Docket each spoke about custody reports and their use at trial. Attorney Ferro discussed what an attorney does once he/she receives the report. Dr. Frazer discussed what goes into the making of the report. Judge Adelman gave his thoughts on the portions and the report were important to him. The event was attended by more than 30 people and the evaluations received were very positive.

Members of the Committee also participated in the Lawyers in the Classroom event on April 24, 2014, which spoke to the entire 4th grade class at Hawley Elementary in Newtown. The event was very well received and the kids were great.

4. Commercial Law & Bankruptcy Committee (Joanna Kornafel, Melanie Dykas)

The Commercial & Bankruptcy Law section organized two very successful CLEs during the past year. The first was held on October 21, 2013 in conjunction with the YLS Family Law section, the CBA Commercial Law & Bankruptcy Law section, and the CBA Family Law section. Trustee Barbara Katz, Attorney Matthew Beatman, and Attorney Steven Dembo were the speakers. The CLE was titled "Broke & Broken: The Interplay of Bankruptcy and Divorce" and was attended by 20+ registrants. The focus of the CLE was the financial difficulties that clients frequently face in divorce, providing an overview of what debt is dischargeable, how to protect joint assets, when a bankruptcy filing stays or stop the divorce action in state court and how bankruptcy may benefit husbands and wives jointly when they discover they cannot maintain two separate households and meet their looming debt obligations.

The second CLE, held on January 27, 2014, was titled "Common State and Federal Tax Issues in Bankruptcy Proceedings" and was attended by approximately 30 registrants. This CLE was organized in conjunction with both the YLS and CBA Tax Law sections, CBA Commercial Law & Bankruptcy Law Section. Assistant U.S. Attorney Ann M. Nevins, Assistant Attorney General for the State of Connecticut Denise Mondell, and Attorney Jeffrey Sklarz were the speakers. This CLE addressed issues concerning the dischargeability, treatment, and classification of tax claims, as well as the interpretation and understanding of state and federal proofs of claim, requests for payment of post-petition taxes, and how to address and resolve tax liens.

5. Consumer Law Committee (Amanda Gordon, Christopher Hite)

The Consumer Law section held a CLE, Consumer Law 101. The CLE focused on the fundamentals of consumer law both from the perspective of the collector or lender and debtor. Attendees heard from practitioners on compliance, defenses, statutory protection, as well as legal procedure and limitations in collections actions and repossession under the Fair Debt Collection Practices Act, Creditor Collection Practices Act, and the Fair Credit Reporting Act. Speakers included Attorney Daniel S. Blinn of Consumer Law Group, Attorney Christopher Hite of Rosenberg & Press LLC, and Attorney Houston Putnam Lowry of Brown & Welsh, PC.

6. Criminal Justice Committee (Rebecca Paolino, Austin Berescik-Johns, Mathew Weiner)

On November 6, 2013, the Criminal Justice Committee organized a CLE on the basics of defending a charge of Driving Under the Influence. Attorneys James Ruane and Grayson Holmes put on a thorough, educational, and entertaining presentation, to about 38 attendees. The evaluations of the presentation were positive.

The Criminal Justice chairs have also reached out to many members of the Young Lawyers Section, to invite new or inactive members to CBA events throughout the bar year. The chairs hope that they can continue to work with the Executive Committee during the next bar year, and have already begun plans to organize a CLE on the changing case law in the context of criminal justice and immigration.

7. Elder Law Committee (Andrew Knott)

On November 20, 2013, the Elder Law Committee, co-sponsored Health Law Committee and the Connecticut Coalition to Improve End of Life a non-traditional education program, networking event and fundraiser to support the Coalition. The discussion covered, "What is Palliative Care?" and over 100 people were in attendance.

8. Estate & Probate Law Committee (Lisa Staron, Bernardo Cuadra)

The Estate & Probate Law Committee held two events this year and will be holding a third before the bar year ends; the first event was a non-traditional education program titled "Understanding Organ and Tissue Donation" on October 21, 2013. This event was done as a midday/lunch program at Max Oyster Bar in Hartford. The program included discussion of issues related to organ and tissue donation, and how T&E attorneys might advise their clients. The event was free (paid by one of the presenters) and was attended by 20 people which was the cap for the event. The event received very positive feedback.

The second event was a traditional CLE titled "Digital Assets: the New Frontier for Estate Planning and Administration" which took place on April 30, 2014, at The Hartford Club. The three presenters discussed various issues regarding planning and administration as they relate to digital assets. The event was attended by more than 30 people. Notably this event was held in the morning, as a method to experiment with CLE programming. Due to the experimental nature of this program, comments from attendees regarding format are particularly important. Some attendees found it difficult getting into downtown Hartford at 9:00 am. As such, it may be advisable to use a slightly later start time (e.g. 10:00 am) in the event another morning CLE is attempted in the future.

The third event planned by the Committee is a traditional CLE on the Basics of Estate Planning which will be held at the Connecticut Legal Conference (formerly CBA Annual Meeting) on June 16, 2014.

9. Family Law Committee (David McGrath, Mark Randall)

October 21, 2013, the Committee co-sponsored a CLE on the Interplay of Bankruptcy and Divorce (as discussed above).

October 29, 2013, the Committee co-sponsored a CLE on Examining Expert Reports (as discussed above).

November 21, 2013, the Committee organized a Networking event with the New and Young Professionals Group of the Connecticut Society of CPAs. The event was held at The Tavern in downtown Hartford and was attended by between 80 and 100 people throughout the course of the evening. The event was the first event that the YLS co-sponsored with another young professional organization and served as a valuable test of how successful such events and partnership can be.

On November 22, 2013 the Committee co-sponsored the DOMA Symposium at UConn Law, as discussed above.

10. Human Rights Committee (Anna Keegan)

The Human Rights committee co-sponsored the DOMA Symposium (discussed above) as well as the CLE on the CHRO (discussed above).

11. Insurance Law Committee (Bethany DiMarzio, Christian Gunneson)

The Insurance Committee co-sponsored an Insurance Coverage 101 CLE with the CBA Insurance Law Section on January 23, 2014. The event was held at UConn Law School and was composed of four different panels: Anatomy of a Policy, First-Party Property Insurance, Third-Party Liability Insurance, and Insurance Coverage Litigation. A networking reception followed. The event was very well-attended, with a total of about 60 participants.

12. Intellectual Property Law (Elana Bertram)

The Committee co-sponsored the Danbury Area Solo/Small Firm Networking event (discussed above), and participated in the Lawyers in the Classroom at Hawley School in Newtown (discussed above).

Additionally on April 29, 2014, the Committee co-sponsored a non-traditional education program with International Law Section on Overseas Manufacturing at Kelly's in New Haven (see below). The relatively narrow topic was well suited for a non-traditional educational program.

13. International Law Committee (Julianne Lombardo)

On April 29, 2014, The International Law Committee co-sponsored an non-traditional education program titled: "Overseas Manufacturing: Pitfalls in U.S. Trade Regulations and Intellectual Property Law." Speakers David Ring, partner at Wiggin and Dana, and Elana Bertram Dolce of Hawley Legal Resources, conducted an interactive panel discussion, and shared their experiences counseling clients on how to navigate the regulatory landscape of making products overseas. The event was attended by young attorneys from private practice and in-house counsel at local corporations. The program format was well-received by the attendees and speakers.

14. Labor & Employment Law (Joe Blyskal)

The Labor & Employment Law Committee was actively engaged with the senior bar counterpart in cross-promoting attendance at YLS and senior bar events. Additionally, the Committee planned on co-sponsoring a meet-and-greet in April with the senior bar Labor & Employment Law Section,

however due to a last minute problem, the event was postponed to later in the year or early next year

The Committee co-sponsored a very successful CLE on practice before the CHRO (as discussed above).

15. LGBT Legal Rights Committee (John DiManno)

On November 17, 2013 the LGBT Legal Rights Committee co-sponsored the DOMA Symposium (discussed above). The success of the event would not have been possible without the Committee's contribution to the event.

16. Litigation Committee (Eamonn Wisneski, Jennifer Levin, Courtney Chaplin)

On September 30, 2013 the Litigation Committee put on its traditional "Short Calendar 101" CLE which 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 due to the e-filing system. Speakers included the Honorable Wilson J. Trombley, Superior Court in the Litchfield Judicial District; Attorney Alice Mastrony of the Judicial Branch's Court Operations; Attorney Bryan Orticelli of Day Pitney, LLP; and Attorney Courtney M. Chaplin of Fontaine Alissi PC.

The Litigation Committee also established a digital newsletter to share updates with YLS members who were also members of the CBA's Litigation Section. The committee issued two newsletters to date, and will issue another newsletter in May.

On November 21, 2013, the Committee held another of its Courthouse Tour Series at Hartford Superior Court. The tour commenced with our guide Assistant Clerk, Adam Bulewich leading attendees on a tour including stops at the caseload office, the clerk's office, and the various courtrooms on the first floor. Members of the tour were given the opportunity to briefly observe the court hearings and/or trials that were taking place at that time. From there, attendees traveled to the various floors of the courthouse viewing the courtrooms on each floor, the jury assembly room, the attorney's lounge, and the law library. Attendees were also introduced to the complex litigation docket and the various courtrooms dedicated to that docket. The tour concluded at the attorney's lounge where the Honorable Judge Berger spoke to the attendees about the unique aspects of the Hartford courthouse, including the complex litigation and land use docket. Judge Berger also provided judicial insight into the practice of law, discussed some of the Judicial Branch's pilot programs and answered all of the attendees' questions.

On January 16, 2014, the Committee presented another event in the "Networking & Knowledge" series featuring Patty O'Keefe of Injured Workers' Pharmacy (IWP) and Dr. Dean Mariano at Salute in Hartford. Attendees received a brief overview of the services IWP offers and heard Dr. Mariano's perspectives on litigation from a medical perspective. Attendees also enjoyed complimentary open bar and delicious food during the networking reception.

On February 20, 2014, the Committee commenced a new series entitled "What I Wish I Knew as a Young Litigator That I Know Now" at Esca Restaurant in Middletown. As the title suggests, the event consisted of prominent speakers offering insights into the practice of law, with a particular emphasis on litigation, in an informal networking reception setting. The Committee was very fortunate to have the Honorable Chief Justice, Chase Rogers and Attorney Michael Stratton as our first featured

speakers. All fees gathered for admission, along with a generous match from our sponsors, were donated to Solar Youth, a local non-profit organization. This series was generously sponsored by Stratton Faxon Trial Lawyers, LLC. Attendance was very high and feedback was incredibly positive.

On May 12, 2014 the Committee will hold another program in the “Courthouse Tour Series” with a visit to the New Haven Judicial District courthouse. This event will include meetings with judges and courthouse staff regarding tips for negotiating during pre-trials, an overview of the foreclosure mediation program, and other practice and procedure in the New Haven JD (with particular emphasis on any procedures unique to the New Haven courthouse). The tour will also include the law library to see what resources are available to young lawyers.

Also on May 12, 2014, the Committee will hold the second of its “What I Wish I Knew as a Young Litigator That I Know Now...” programs immediately after the courthouse tour. The event will take place at Anna Liffey’s Irish Bar and Restaurant. Attorney Norm Pattis will be the featured speaker. This event will combine many elements: an educational presentation by an experienced litigator on the title subject, networking with other young lawyers, charitable contributions made to better our community, and good food and drink. All admission fees will be entirely donated to Integrated Refugee & Immigrant Services (IRIS) along with a generous match from our sponsor, Stratton Faxon.

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

On March 31, 2014, the Municipal Law Committee organized a CLE titled “Tips and Traps in the Land Use Approval Process and Litigation.” The program provided useful to lawyers of all levels of experience who appear before administrative agencies and courts. The seminar was extremely well-received with about 45 people attending the seminar.

The Committee co-sponsored a seminar with the Planning and Zoning Section of the CBA which included speakers: Hiram Peck, Director of Community Planning & Development for the Town of Simsbury; Attorney Brian R. Smith of Robinson & Cole; and the Honorable Marshall K. Berger Jr., presiding judge of the State’s Land Use Litigation Docket.

18. Professional Responsibility Committee (Lila McKinley, Jennifer Miller)

The Professional Responsibility Committee co-sponsored the very successful n “Meet the Branches” event (discussed above).

The Committee was also engaged with the CBA’s Standing Committee on Ethics as, and one of the Committee co-chairs served as the YLS representative on that Committee for the year. The Standing Committee has monthly meetings in New Haven and is responsible for drafting informal ethics opinions. Each month opinions are assigned, written and discussed at the meeting. As a member of the committee, the YLS representative was responsible for drafting an opinion with another Standing Committee member, which was then presented to the Committee for review.

The Committee also participated in the Lawyers in the Classroom program (discussed above). In particular the Committee organized an event at the University of Hartford, where five members of the YLS executive committee engaged in a panel discussion with college students about law school and the different fields of legal practice.

The Committee also worked diligently to organize a seminar on Cloud Computing. Due to a host of unforeseen reasons, however, the seminar was not able to be held during this bar year, however the work done by the Committee will likely result in the program being scheduled during the 2014-15 bar year.

19. Real Property Committee (Kathleen E. Carey, Meghan Hayden)

On March 13, 2014, the Real Property Committee co-sponsored a networking event with the CBA Real Property Section at the Hooker Brewery in Bloomfield. The event was very fun, well attended and a large success. Attendees included attorneys from Title Insurance companies, which are valuable contact for young lawyers to develop.

On May 1, 2014, the Committee also held a "Speed-Networking" event conjunction with the Greater Hartford Realtors Association at Hot Tomatoes in Hartford. The event was crafted as a way for YLS members to meet and get to know realtors as a way of supplementing their real estate closing practice. The event represented another step in the YLS's goal of facilitating the development of professional contacts in a causal and fun setting. Hopefully the event will lead to other similar events occurring in other parts of the state in the upcoming years.

20. Small Firm & Solo Practice (Shari-Lynn Shore, Deneka Cummings-Garcia)

The Solo & Small Firm Committee presented non-traditional educational programs this year. The first, was a reprise of last year's "Going Commando" and consisted of a panel of solo and small firm practitioners who presented their own personal stories and tips for establishing and growing your own solo or small firm. This year the program was held at UConn Law and the program was followed by a networking opportunity at the Half Door in West Hartford.

The second non-traditional education program was titled "Getting Paid." This was event but featured speakers from the Probate Court; Office of the Chief Public Defender; and a foreclosure committee attorney. This panel focused on supplying solo and small firm practitioners with information needed to obtain contract-work throughout the state. This event was also followed by a networking opportunity at the Half Door and received positive feedback on the helpfulness of this information.

The Committee also worked on the aforementioned Cloud Computing Seminar which hopefully will be scheduled for the 2014-15 bar year.

21. Tax Committee (Laura Pisarello)

On November 27, 2013 the Tax Committee co-sponsored the DOMA Symposium (discussed above) and on January 27, 2014, the Committee co-sponsored the "Common Stare and Federal Tax Issues in Bankruptcy Proceedings" (discussed above).

22. Women in the Law Committee (Suphi A. Philip, Kate Milligan)

On October 10, 2013, the Women in the Law Committee organized a "Lady Lawyers Night Out" at La Boca Mexican Restaurant in Middletown. The event was very successful, had a high turnout, good conversation and good food. The event generated many positive reviews and drew many lawyers who do not traditionally attend YLS events.

On March 20, 2014, the Committee co-sponsored the annual Pathways to Leadership for Women Lawyers and the Ladder Award with the Women in the Law Section of the CBA. The event was a huge success with demand greatly exceeding the supply of space available at the venue. The Committee present its Ladder Award to the very deserving, Attorney Nada K. Sizemore, Associate General Counsel at Travelers Insurance. In addition to the positive feedback of attendees, the event generated positive press in the Connecticut Law Tribune.

On May 8, 2014, the Committee also held its annual "Women and Golf" event at the Golf Center at Lyman Orchards. This event featured a skills clinic, networking break, luncheon with a speaker, a nine-hole shot gun, and a post-play reception. Despite poor weather, the event was well attended and received positive reviews.

XIII. CONCLUSION

In many respects this year has been a year of tremendous transition for the YLS. As with all change, some results have been good and others have been difficult to deal with. As chair, I am particularly proud of the work the YLS has done in changing some of its traditional programming in order to make room for the creativity of Executive Committee Members who were willing to put the time and energy into developing new programs to keep the organization fresh and relevant. I am also particularly proud of the efforts the YLS has made to reach out to different geographic areas of the state in order to act as ambassadors for the CBA. Looking at the year of programming critically, I also am keenly aware that the growing pains of change have prevented some of the YLS's most notable events from the last few years from being held, and that a lack of concrete structure and program requirements has made it difficult for some Executive Committee Members to plan the type of events they would like. Having said that, I am convinced that the YLS is the most important vehicle of change the CBA has and that due to the intrinsic makeup of the YLS it also is the place where societal changes to the professional practice of law will be felt first and most acutely. As such, I believe that it is imperative that the leadership of the YLS continue to experiment with different types of programs and resist the urge to take the path of least resistance when it comes to policy and programming. Looking forward to the immediate future, I am confident that the upcoming leadership of the YLS has learned lessons from the good and bad of this year and is well positioned to balance experimentation and creativity with the stability and efficiency of tradition.

As past YLS Chair's before me, I would like to take this opportunity to formally thank the YLS Executive Committee for all of their amazing work this year. I also extend special thanks to my fellow officers: Emily Graner Sexton, Matthew Necci, Dana Hrelc and Aidan Welsh, all of whom have worked tirelessly to support the YLS this year and all of whom deserve tremendous credit for the successes of the YLS Executive Committee. It has been my absolute honor to work with each of you. I would also like to extend infinite gratitude to my predecessors, Jonathan Shapiro and Jonathan Weiner, both of whom have provided invaluable guidance, counsel and friendship when it was needed most. Additionally, I would also like to thank the CBA's professional staff for their support in implementing this section's programs during a period of transition and difficulty.

On behalf of the YLS officers, I respectfully submit this report and thank the CBA Executive Officers, the House of Delegates and the Board of Governors for their continued support of the YLS and its mission to develop the future of the Connecticut bar.

COMMITTEE REPORTS

CONNECTICUT BAR JOURNAL BOARD OF EDITORS

JAMES E. WILDES, 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.

In the 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 has been 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 received both the print and digital version of the publication. As members have renewed their membership, they have selected 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 received a printed copy; others received a digital version. The above choice continued through the 2013-2014 Bar year and it is expected to continue into future years.

In the 2013-2014 Bar year, the Board discussed and agreed to implement a new way of delivering the *Journal* to members. The Board has been working with CBA leadership regarding the proposal to publish individual articles on the *CBJ* page of the CBA website. The objective of the proposal is to deliver articles in the *Journal* in a timelier manner without sacrificing the scholarly quality that the *Journal* is known for. The Board may be able to roll out this idea as soon as the next couple of weeks. This will not be a substitute for the regular issues; rather it will be in addition to. The articles will be edited as all other articles, so quality will not be negatively impacted. There will be no extra cost to the CBA. The final details will be worked out shortly. It is anticipated that there will be an announcement to CBA members. It is also anticipated that the articles will be announced by way of the Weekly Docket with a link to the article on the *CBJ* page.

CONNECTICUT LAWYER ADVISORY COMMITTEE

ELIZABETH C. YEN, CHAIR

PURPOSE

The *Connecticut Lawyer* is an official publication of the Connecticut Bar Association, sent nine times a year to all members of the association. This glossy color magazine includes articles on new legislation, recent state court decisions, interpretations of ethics rules, other significant developments affecting members of the Connecticut bar, and highlights of recent and upcoming 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*; 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 several feature 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 Connecticut Legal Conference (formerly the association's annual meeting), annual association awards, the association's legislative agenda, pro bono work, and other initiatives.

The editorial guidelines for authors are available at: <https://www.ctbar.org/CTLEditorialGuidelines>.

Meetings

The Connecticut Lawyer Advisory Committee meets in person once a year; most of the committee's work is handled effectively through e-mails. During the committee's in-person meeting on March 26, 2014, the committee reviewed a draft of a readership survey to be made available online to association members to help obtain useful feedback about the *Connecticut Lawyer* publication. The committee agreed not to add any new regularly recurring columns right now; however, multi-part articles and short series of articles on closely-related topics are appropriate. Alysha Adamo, editor, provided a brief financial report and the committee discussed the cost savings that have been realized through a slight reduction in the number of pages and in the paper weight used in each issue. The committee also discussed possible topics for future articles.

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 support of the Association's general membership and staff.

DIVERSITY COMMITTEE

BURTON B. COHEN AND SUSAN KIRKEBY, CO-CHAIRS

PURPOSE

The Diversity Committee meets at least four times during the bar year with the aim at making the Connecticut Bar Association (CBA) and its leadership more diverse. The Diversity Committee fosters frank and open discussions that encourage all members of the CBA to own and take responsibility for diversifying the CBA through active involvement in diversity and inclusion programs in their own organizations and their communities in the areas of recruitment, retention, and promotion.

PURPOSE

The Diversity Committee met formally on four occasions: September 30, 2013; November 6, 2013; March 4, 2014; and April 3, 2014. Representatives of the Connecticut affinity bar groups were specifically invited to attend the March 4th meeting and share their views on the CBA's diversity efforts. In addition, the Diversity Committee organized and co-sponsored a Diversity Networking Event, along with the Crawford Black Bar Association, the Connecticut Hispanic Bar Association, and the South Asian Bar Association, on December 12, 2013, at Afghan Shish Kebab House in West Hartford.

Our recommendations for the next bar year:

- Continue to collaborate with the affinity bar associations, the Women in Law Committee, the LGBT Committee, and the Disability Law Committee to promote and actively encourage ethnic, gender, age, sexual orientation, cultural, disability, and religious diversity within the CBA and the legal community in general. This collaboration should include formal substantive programming and joint committee meetings as well as informal community service, networking, and social events.
- Continue to provide support for the refinement of provisions in the CBA Constitution for Affinity Bar membership in the House of Delegates.
- Collaborate with the Membership Committee in efforts to diversify the CBA membership. These efforts should include attracting diverse Connecticut attorneys to join the CBA, fostering a welcoming and inclusive CBA environment, and providing support and encouragement to members, enabling them to become successful leaders and committed members of the CBA.

FAIR AND IMPARTIAL COURTS COMMITTEE

JAMES T. SHEARIN, CHAIR

PURPOSE

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

ANNUAL REPORT

The committee met this past year on a periodic basis, together, and with members of the judiciary, to discuss the committee's business. We tracked legislation and other political actions by the governor and General Assembly to determine whether action was necessary by the committee to support the Connecticut Judicial Branch. We also investigated and addressed issues relating to the judicial reappointment process.

FEDERAL JUDICIARY COMMITTEE

JAMES T. SHEARIN, 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, where 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 of the Judiciary of the United States Senate.

ANNUAL REPORT

The committee investigated and discussed the qualifications of Jeffrey A. Meyer to be a judge of the United States District Court. 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. Meyer was confirmed as a United States District Judge. Judge Meyer is presently serving in Hartford, Connecticut.

INSURANCE PROGRAMS FOR THE BAR COMMITTEE

LEONARD ISAAC, CHAIR

PURPOSE

The Insurance Proposals for the Bar Committee reviews and endorses insurance products for the members of the Connecticut Bar Association. Those products are professional liability insurance; health insurance; and pension plans. In addition other products available to the members of the bar are health insurance, workers compensation, long-term care, and disability insurance. In order to ensure that the members of the Connecticut Bar Association have the best products available, the committee relies upon various agents.

ANNUAL REPORT

This was a year of transition for our committee as we marked in June the end of the multiyear appointment of Ken Laska as Chair. We are all deeply grateful to Ken for his many years of devoted service. Present chair has been greatly assisted by Ken in maintaining the programs that the committee instituted and grew over the past years. We also have fine committee members who have volunteered to assist in the continued growth and development of our unique programs. The influx of new healthcare insurance opportunities has greatly affected some of our program options and needs. Next year we will be carefully examining all of our program options to make sure that we have access to the most comprehensive, reasonably priced products on the market.

Kronholm Insurance Services LLC administers the professional liability insurance underwritten by CNA. The health insurance is administered by American Financial, NEBCO. The Connecticut Bar Association also endorses the American Bar Association Retirement Funds Program.

During past years, this committee has sought the endorsement of various local Bar associations for the programs offered to the members of the Connecticut Bar Association. The purpose behind seeking these endorsements is to have a greater number of lives within the group so that we have a better negotiation position with the selected and potential insurers. Our program has been endorsed by the New Britain Bar Association, the Greater Bridgeport Bar Association, and the Fairfield County Bar Association for all the programs endorsed by the Connecticut Bar Association. In addition, we have also received the endorsement of the Hartford County Bar Association for the professional liability insurance and pension plan.

Our most popular program is the professional liability insurance. Presently we have one of the best policies issued in Connecticut. Some of the distinguishing features of the policy our committee negotiated to obtain on behalf of our members (under the guidance of former Chair, Ken Laska) include free extended "tail" coverage for attorneys who have been continuously insured for over three years with the endorsed carrier and have been elevated to the Bench of the Connecticut Superior Court, or the Workers' Compensation Commission, or who permanently retire from the Bar, or pass away. Our endorsed program also provides for premium discounts to those who have participated in our risk management seminars.

The Connecticut Bar Association was one of the first two associations to endorse the American Bar Association Retirement Funds Program. This endorsement was made in 1996. There are no administration costs for a law firm to participate in this program.

Finally one of the most volatile aspects of the insurance is the health insurance program. Because of the uncertainty in the market regarding health insurance, as well as employers shopping around for the best premium your committee has received numerous inquiries over this past year for health insurance.

Each law firm that participates in one or more of these programs has the benefit of not only the backing of the Connecticut Bar Association but also all the other associations mentioned above. As a consequence many issues regarding insurance are resolved in favor of those members.

LAWYER-TO-LAWYER DISPUTE RESOLUTION COMMITTEE

RICHARD F. BANBURY, 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, as well as to the legal profession. The most frequent use of the Program involves the allocation of a contingent fee, typically in situations where a plaintiff in a liability case changes attorneys. The analysis of disputes over the distribution of a contingent fee is based on the principle of *quantum meruit*, which depends on the relative value added in achieving the final result. The attorneys who agree to submit their controversy to the Committee have a choice of mediation, arbitration, or a hybrid in which an unsuccessful mediation can proceed to a binding arbitration process, with a different neutral.

There are other situations in which the Lawyer-to-Lawyer program can be of assistance. If an attorney voluntarily leaves his or her position with a firm, and brings several files with him or her, the issue of allocating retainers or other disputed fees, including contingency fees, can be resolved. The Committee was originally charged with assisting the dissolution of a law firm in resolving the myriad issues which can arise in that setting.

Each attorney who participates as a party in a fee distribution case is charged a fee in the amount of \$100 for CBA members and \$200 for attorneys who do not belong to the Association. The Lawyer-to-Lawyer program successfully resolved ten cases during the calendar year of 2013, which certainly suggests that this resource is under-utilized.

ANNUAL REPORT

Current members of the committee who are available to serve as a mediator or arbitrator are as follows:

John R. Gamm
James M. Sconzo
Richard F. Banbury
Louis R. Pepe
Norman K. James
Andrew R. Lubin
Richard T. Meehan Jr.
James F. Stapleton
Bernard L. Shapiro

Kenneth J. Laska
Dean M. Cordiano
Joshua A. Hawks-Ladds
Kenneth E. Caisse
Richard W. Tomc
Donald W. Celotto Jr.
Diane Belinkie
Eric M. Grant

PURPOSE

Pro bono service is an integral part of the mission of the Connecticut Bar Association and each individual lawyer's responsibility. As such, the CBA Pro Bono Committee strives to "promote the public interest through the advancement of justice and the protection of liberty," and more specifically, "facilitate the delivery of competent legal services to the public particularly those in greatest need." *Constitution of the CBA*, Art. II. The Committee also investigates, implements and otherwise provides opportunities for members to render public interest legal service, which includes "providing professional legal services at no fee or a reduced fee to persons of limited means" or such service as defined in *Rules of Professional Conduct*, Rule 6.1. A most important component of the Committee is the Pro Bono Network, which is a collaboration between the Connecticut Bar Association and Connecticut's legal service organizations.

ANNUAL REPORT

The Pro Bono Committee, principally comprised of members of the private bar, executive directors, and attorneys of the State's legal aid agencies, serves a core function of the Connecticut Bar Association. The members practice in a broad spectrum of firms from some of Connecticut's largest firms to solo practitioners. A broad array of members are from various agencies providing pro bono publico services and activities.

Activities

Backpacks for Excellence in Education (B.E.E. The Best)

Alaine Doolan, an attorney at Robinson & Cole LLP, runs a program called B.E.E. The Best ("Backpacks for Excellence in Education"). The program was created to benefit the Truancy Intervention Project, to provide backpacks with supplies to all of the students participating in the Truancy Intervention Project. Many of the students involved in the Truancy Intervention Project come from low-income families who simply cannot afford to buy new backpacks and school supplies. Alaine accepted checks from our CBA members, and with the funds she was able to purchase supplies and backpacks for 30 students.

Pro Bono Training Seminars

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

- A. Expulsion Hearing Training – The training covers the "nuts and bolts" of expulsion hearings, as well as special considerations for students with disabilities. (September 19, 2013, Wiggin and Dana, LLP, One Century Plaza, 265 Church Street, New Haven.)
- B. Truancy Intervention Project New Volunteers' Training for attorneys and law students (October 5, 2013)
- C. Training on Discharge Upgrades hosted by the CBA's Veterans and Military Affairs Committee (October 8, 2013)
- D. Small Claims Training for Retired Attorneys Small Claim Project (January 29, 2014)
- E. Thunderdome: Pro Bono Family Law Series classes included:
 - Uncontested Divorce Overview Training (February 13, 2014);

- Interviewing Clients and Filing Initial Paperwork (March 5, 2014);
- Motions Before Judgment and Discovery (April 10, 2014);
- Agreements and Preparation of Judgment (April 30, 2014);
- Final Hearing (May 21, 2014)

F. Truancy Intervention Project New Volunteers' Training for volunteers (April 9, 2014 at the CBA Law Center)

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. The pilot program has been successful in the Hartford Court. A training was held on January 29, 2014 called “Small Claim, Big Results.” This training was a CLE and the Small Claims volunteers were able to attend this CLE at a significantly reduced fee. Because of an increased number of volunteers, this program is also offered at the Middletown Courthouse.

Middletown Superior Court, 1 Court Street, Middletown

2 – 4 p.m. 1st & 3rd Mondays, Room 111 & 112

Community Court, 80 Washington Street, Hartford,

9:30-11:30 a.m., 2nd & 4th Tuesdays, 1st Floor, Court Room C

Estate Planning Workshop for Veterans and Their Families

This project was organized with the help of experienced attorneys in the CBA Estate and Probate Section, the CBA Elder Law Section, and in conjunction with the CBA Veterans and Military Affairs Committee. The purpose of the workshop was to prepare estate planning documents (including a Will, Living Will/healthcare directive and/or Power of Attorney) for veterans and their spouses.

The Process:

- A brief introduction by Attorneys Matthew Stillman and Sharon Pope is given to the veterans and their families, informing them of the scope of the legal work.
- The volunteer attorneys interview the veteran, reviewing their estate plan wishes, including applicable veteran benefits they may be entitled to.
- The volunteer attorneys have about three weeks to draft the estate planning documents.
- The attorneys and veterans then meet to review and execute the documents.

So far there have been two workshops this year. The first took place in Bristol at the Army Strong Community Center on February 26th where we served 13 veterans and the second was at the Norwich Veterans Center on April 9th where we served 13 veterans.

CBA/Legal Services Elder Law Pro Bono Project

The CBA Elder Law Section created a Pro Bono Initiative where volunteers check off the legal topics of interest and give a form to Attorney Kevin Brophy. These legal topics include: Power of Attorney, Health Care Directives, and Testamentary Wills, Assistance with Applying for Public Benefit Programs (e.g. Medicaid), Trust documents, Options Available to Remain at Home, Benefits/Disadvantages of Transferring Home, and co-counseling with legal services.

The volunteers will be matched with a client. The referral will come from one of three legal aid programs: CT Legal Services, Greater Hartford Legal Aid, or New Haven Legal Assistance. The location of the volunteer's office will determine which legal aid program makes the referral. So, for example, if the attorney's office is in Hartford or one of the surrounding towns, the referral will come from Greater Hartford Legal Aid.

Law Librarian Section

For the Law Librarian's pro bono initiative, the Section is planning on doing half-day programs on educating public librarians, so they can be of assistance to members of the public. The sessions will be live or a webinar. The Law Librarian Section will be working with SNELA, CT Library Association, the CT State Library, and academic libraries.

Women in the Law Section

For the Women in the Law Section's pro bono initiative, the Section is working with Connecticut Women's Education and Legal Fund (CWEALF) on an education program.

Young Lawyers Section

The YLS is developing a modest means initiative with CBA leadership and Statewide Legal Services. The initiative is in the planning stage. The plan is to serve folks over the legal aid guidelines who currently are unrepresented.

Pro Bono Recognition

The Pro Bono Awards were given to outstanding volunteers at the Celebrate the Stars event on April 3, 2014. The committee voted to give awards to four outstanding pro bono volunteers. The attorney recipients of the Honorable Anthony V. DeMayo Pro Bono Award are: Sean P. Barrett, Joseph Harry Bartozzi, James O. Craven, Thomas J. Dufour and Peter D. Goselin. The Pro Bono Honor Roll was published in the May/June issue of *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 on pro bono opportunities. Every year the CBA publishes a Membership Directory and the Pro Bono Network was listed in the Directory. A visit to Western New England Law School was conducted on April 8, 2014, to speak to the Professional Ethics Class about pro bono. The "Time to Go Pro Bono" column in the *Connecticut Lawyer* is a column about pro bono opportunities, events, or volunteers to highlight the pro bono activities.

Legislative Efforts

The committee supported Senate Bill 31 to increase funding for the traditional legal aid programs. The committee also supported a Cy Pres rule for class actions. Under the proposed rule residual (or leftover) funds in a class action would be used to help provide legal services to Connecticut's economically disadvantaged.

PROFESSIONALISM AND CLE COMMITTEE

LOUIS R. PEPE AND TIMOTHY A. DIEMAND, CO-CHAIRS

PURPOSE

The mission of the Connecticut Bar Association Standing Committee on Professionalism and CLE 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, 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 three years indicate his decision was right on target.

On November 1, 2013, the Committee conducted its signature event, the annual Bench-Bar Professionalism Symposium, in a joint venture with the Greater Bridgeport Bar Association at the Bridgeport Superior Court. The event was attended by more than one hundred lawyers and judges, who enjoyed the panel discussions and keynote address from Hon. Patrick L. Carroll, III, Chief Court Administrator, and who uniformly reported substantial benefit from the program. The Committee has conducted the symposium in a different Judicial District every year for the past twelve years, and this year it will be presented in conjunction with the Hartford County Bar Association on November 7, 2014.

The Committee also recommended Attorney Margaret "Penny" Mason of the New Haven firm of LeClair Ryan as the recipient of its Edward F. Hennessey Professionalism Award for 2014, and that recommendation was approved by the CBA Board of Governors. The Hennessey Award is intended to recognize a member of the bar that has conducted his or her career consistent with the highest standards of professionalism and civility.

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 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 state-wide professionalism day. Unfortunately, the Rules Committee did not approve either recommendation.

The Professionalism and CLE Committee is convinced of the benefits of MCLE and will continue its efforts to bring it to Connecticut. In the meantime, Timothy Diemand, co-chair of this Committee, has been leading the CBA Task Force on Continuing Legal Education, which is examining all aspects of CLE as it is presently addressed by the CBA and how it should be implemented going forward. The Task Force's report was submitted on April 29, 2014 and will be the subject of discussion at further Committee meetings.

For several years, the Standing Committee on Professionalism supported the CBA's Mentoring Task Force II, which was co-chaired by the Honorable Kenneth Shluger, a member of the Committee, and on which several other committee members serve. The objective of the Task Force was 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 permanent program to the CBA Executive Committee for consideration by it and the House of Delegates. At its meeting in June 2013, the House of Delegates approved the recommendation and placed the CBA's mentoring program under the jurisdiction of the Standing Committee on Professionalism and CLE. Presently, Judge Shulger, Tom Rechen and Stephen Conover co-chair that subcommittee and have undertaken efforts to take the pilot program statewide.

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

RESOLUTION OF LEGAL FEE DISPUTES COMMITTEE

WILLIAM H. CHAMPLIN III, CHAIR

PURPOSE

For the past 36 years, the Connecticut Bar Association through its Resolution of Legal Fee Disputes Program has provided a solution to lawyers and clients who have reached impasse over a legal fee dispute. The program is free, informal and impartial. Whether through mediation, or arbitration, the attorney and client have the opportunity to present their positions to disinterested third parties. In the case of arbitration, a hearing panel, comprised of three volunteers (2 attorneys and 1 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 Connecticut Bar Association appointed by the President of the Association for 3 year terms. The activities of mediation and arbitration are conducted by the Legal Fee Resolution Board. Members of the Committee represent all judicial districts in Connecticut and form a broad spectrum of the bar both from firm size and type of practice. The Committee provides a base of 40 members of the Legal Fee Resolution Board. The Board also includes additional members of the Association who do not serve on the Committee but nevertheless provide voluntary and important service to the community by serving on panels for the purpose of binding the arbitration. Lay persons from throughout the state are also members of the Legal Fee Resolution Board and serve on all of its arbitration panels.

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From July 1, 2013 to May 10, 2014, the Committee had a full, complete compliment of 40 attorneys for the Board.

During the year July 1, 2013 to May 10, 2014, attorneys or clients filed 47 new disputes and 5 cases from the prior years carried over to the current year with the Committee. This is an increase in disputes from the prior year. In the same period, 37 of these matters were settled by the parties or closed for other reasons. 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 7 cases fully to conclusion (including one case scheduled for 5/29 mediation). These matters were resolved without charge to the attorney or client. Finally, the Committee is working diligently to schedule mediations and arbitrations for 9 open matters pending at this time.

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

The Committee appreciates the support of the Bar and the Committee volunteers and especially Marie Langenfeld, the CBA professional who managed the Bar Association activities in the Committee's important work until June 2014. The Committee looks forward to working in 2014 and 2015 with Melissa Wyckoff, Esq., the new CBA professional assigned to the Committee.

STANDING COMMITTEE ON STANDARDS OF TITLE

DENIS R. CARON, CHAIR

PURPOSE

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

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2013 saw the final approval of a new chapter, Chapter 31, "Parties in Possession and Leaseholds." The chapter contains six new standards:

- Standard 31.1 Parties in Possession
- Standard 31.2 Expired Leases
- Standard 31.3 Terminated Leases
- Standard 31.4 Purchase Options in Leases
- Standard 31.5 Leasehold Interest in Common Interest Community
Included in Deed Conveying Fee Interest in Improvements
- Standard 31.6 Leasehold Encumbrances

The CBA's supply of printed copies of the Standards of Title was exhausted in 2013, but thanks to the efforts of the Real Property Section and members of the CBA staff, the standards were reprinted and are again available for purchase. In addition, a PDF version of the Standards of Title is available online, through the CBA website, www.ctbar.org, to members of the Real Property Section.

The committee continues its work on a new chapter addressing conveyances by powers of attorney, particularly as a result of the likely passage of the Uniform Power of Attorney Act. Additionally, the committee is revisiting Chapter 29, Tax Collector Sales, to address various changes in the law that were introduced as a result of P.A. 13-276.

The committee is also reviewing the possibility of revising Standard 19.5, "Conclusiveness of Foreclosure and Other Judgments Affecting Title to Land," to address issues brought to light as a result of the decision in *Wells Fargo Bank, N.A. v. Melahn*, AC 34726, released February 4, 2014, permitting a foreclosure judgment to be opened after title had become absolute in the plaintiff notwithstanding the fact that the statutory period for opening such judgments had long since passed. The committee is also considering the possible effect on title resulting from noncompliance with the requirement of Standing Order JD-CV-104 that the plaintiff send timely notice of the entry of a foreclosure judgment to all non-appearing owners.

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, Hartford (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, Hartford

UNAUTHORIZED PRACTICE OF LAW COMMITTEE

CARL M. PORTO, CHAIR

PURPOSE

The Unauthorized Practice of Law Committee (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.

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The Unauthorized Practice of Law Committee continues to receive inquires, complaints and requests for information regarding what does and does not constitute the authorized practice of law in the State of Connecticut. When appropriate, the UPL Committee issues written “informal opinions” which are now available on the CBA website. The UPL Committee continues to respond to inquiries from attorneys from other jurisdictions who are not admitted in Connecticut, regarding what they can and cannot do in Connecticut.

I am pleased to report that our legislature has finally elevated the punishment for the unauthorized practice of law in Connecticut to a class D felony in certain circumstances. This is a bill that the CBA and the UPL Committee, along with many others, has supported for years. Section 51-88(b)(1) of the CGS now provides that any person found to be engaged in the unauthorized practice of law in Connecticut, in circumstances described in the amended statute, shall be guilty of a class D felony. That change has definitely caught the attention of many out of state non-admitted attorneys who have inquired whether their intended activities in Connecticut constitute the unauthorized practice of law.

On January 7, 2014, the UPL Committee also had the pleasure of participating in a joint meeting with the Professionalism Section of the CBA. The issue before the joint meeting was a proposal submitted to the Rules Committee by Dean Fisher, on behalf of the Deans of the three Connecticut law schools, to amend Section 2-13 of the Superior Court Rules permitting non-clinical faculty who were not admitted in Connecticut, primarily because of certain time and reciprocity requirements, to practice law in Connecticut. The proposal was approved by the Connecticut Bar Examining Committee, and it was suggested that as this issue fell within the jurisdiction of both the Professionalism Section and our committee, that we meet and issue a joint opinion. The meeting was held with a proponent of the proposal attending and offering important remarks. After careful consideration the proposal was not approved by a split vote. However, shortly thereafter a motion was approved to forward a letter to the CBA leadership from the joint committees indicating support for a proposal to limit the authorized work of the newly admitted attorneys to educational (clinical) and pro bono purposes only. The CBA ultimately took no position on the proposal.

The UPL Committee had also previously invited members of the executive committee of the CBA Real Estate Section to the joint meeting to discuss a proposed state-wide residential real estate purchase and sale contract form which the Real Estate Section had approved, and recommended that the CBA support for state-wide use. Given the fact that non-admitted attorneys (real estate agents primarily) would be completing these contracts, a potential UPL issue arose. It was reported that presently there is no uniform residential real estate purchase and sale contract form used throughout Connecticut (currently, approximately 20 different forms are used) and the reality is, with the possible exception of the Fairfield

area, real estate agents, not attorneys, are completing residential real estate contracts. The representatives of the Real Estate Section felt strongly that the contract proposed was an improvement, and provided an opportunity to have an attorney review the contract before it became final. The Section representatives and the UPL Committee agreed to continue discussions regarding any UPL issues.

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 proposed to be offered by out of state non-admitted attorneys wishing to represent Connecticut clients in various aspects of Connecticut commercial and real estate transactions.

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.

