

CONNECTICUT BAR ASSOCIATION ANNUAL REPORT
of Sections and Committees
2016-2017

Connecticut Bar Association

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CONNECTICUT BAR ASSOCIATION OFFICERS

2016-2017



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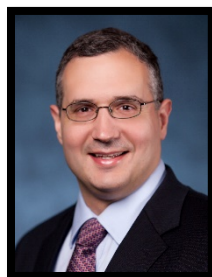
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ANNUAL REPORT OF THE PRESIDENT

Monte E. Frank, 2016-2017 President



In a year of immense change, which saw our judicial institutions, access to justice, the judicial budget, legal aid funding and refugees all under attack, the Connecticut Bar Association responded with principled positions to advance equal justice under the law. On top of that, we moved forward to advance diversity and inclusion, assist veterans, and help our members adapt to the new minimum continuing legal education (“MCLE”) rule and the rapidly evolving nature of the practice of law. As I reflect on all that we accomplished over the past year, I cannot help but feel an immense sense of pride. The vast majority of members I heard from felt re-engaged and proud to be a member of an association that not only advances the interests of members with respect to the practice of law, but also presses for access to justice and stands tall as a guardian of the rule of law.

In every single instance when faced with a challenge and a decision needed to be made whether to act, I reverted to the “Purpose” of our Association as set forth in Article II of our Constitution as the guiding principle:

The purposes of this Association shall be to promote the public interest through the advancement of justice and the protection of liberty; to aid its Members in the development and maintenance of their respective practices; to facilitate the delivery of competent legal services to the public and particularly to those in greatest need; to support or oppose legislation and regulations consistent with the interests of the public good and its Members; to supply the highest quality continuing legal education opportunities and works of legal scholarship; to promote diversity within the Bar and the Bench; to develop collegial interaction among the members of the Bar; to safeguard the dignity of the legal profession; to coordinate the activities of the several bar associations within Connecticut; and to advance the interests of its Members within the American Bar Association, other organizations with which the Association is affiliated, and society as a whole.

As a result of our efforts, the CBA achieved so much for lawyers, veterans, the people of the state of Connecticut, and our Nation.

Diversity and Inclusion

Two years ago, I embarked on a quest to re-tool the CBA to become a leader, rather than a laggard, in diversity and inclusion in the Connecticut legal community. I am proud of the progress we have made, including adoption of a diversity and inclusion policy and a diversity and inclusion plan. However, more importantly, the CBA has implemented the plan, resulting not only in changing who we are as an association, but in addition, we have started the process of advancing the legal community as a whole. This past year, the CBA created the statewide Diversity Summit which brought together 150 decision makers and thought leaders resulting in a Plan and Pledge. Rather than stop there, the CBA had follow-up meetings with the signatories to the Summit’s Plan and Pledge to assist with enactment of its goals. The second annual Summit will be held at Quinnipiac Law School on October 26. Finally, the CBA recently launched its Pathways program. I committed my entire presidential discretionary budget line item to this program because of the importance of developing a pipeline. I believe this investment will yield huge dividends down the road. None of our advancements on diversity and inclusion could have been accomplished without the hard work of the CBA’s Diversity and Inclusion Committee. On a personal note, the committee members have challenged my way of thinking at every level, and as a result we have collectively made better decisions. Moreover, I believe that the turn-around of the CBA is due in significant part to the diversity of opinions now being expressed and respected at the highest levels of our governance.

MCLE

As the new MCLE rule went into effect this year, we recognized that as lawyers adapt to the new requirement, they would look to the CBA because our CLE's are *for* Connecticut lawyers, *by* Connecticut lawyers. Accordingly, the CBA re-doubled its efforts to provide the best CLE options to educate our members and to make it easy to comply. As a result, the Connecticut Legal Conference sold out, and many of our CLE's at the CBA Law Center in New Britain were at capacity. To further accommodate our members, we invested in new technology to enhance our On-Demand CLE offerings, available at ctbar.org/CLEOnDemand.

Refugees

At the American Bar Association Midyear meeting in Miami, FL, the House of Delegates "unanimously" adopted the Connecticut Bar Association's proposed resolution concerning refugees, asylum seekers, torture victims, and others deserving of humanitarian refuge. I am grateful and so proud of the CBA for leading the way.

Government Affairs

The CBA continued to be influential in Hartford. While our accomplishments are too voluminous to mention, I would remiss if I did not mention a few, including advances in business laws, and adoption by the Rules Committee of the Military Spouse Licensing Rule. Thank you to section and committee leadership for your work in furthering the CBA's Legislative Agenda.

Legal Aid

Simply put, the CBA is a Legal Aid Defender. The CBA worked on all fronts to support legal aid, including lobbying in Washington to restore the Legal Services Corporation budget.

Civil Gideon

The CBA took a leadership role on the Civil Gideon Task Force, which resulted in the groundbreaking report. We then went to work at the General Assembly to implement it. As I write this, Connecticut is on the cusp of having a pilot program, which will allow us to pioneer this new front in improving access to justice.

Focused Task Forces

Human Sex Trafficking: During my tenure, the hard work of this task force continued and resulted in additional legislation to combat human sex trafficking in Connecticut. In addition, the task force participated in implementing the new legislation's requirement for training on the signs of trafficking now mandated for all employees of hotels, motels, and B&B's in our state.

Opioid Addiction: This year, I established the Opioid Addiction Task Force to fight the alarming level of opioid related deaths in Connecticut. The task force consists of health care lawyers, government lawyers, members of the General Assembly, and public health experts, among others. The task force met frequently to consider new legislation and debate policy. It also put on a CLE at our legal conference, which featured task force Chair Ralph Monaco, Congresswoman Elizabeth Esty, Representative Sean Scanlon, Representative Rosa Rebimbas, and Yale New Haven's Dr. Daniel Tobin.

Technology and Business Model Changes: I established this task force to: 1) educate Connecticut attorneys on key developments that impact, or are expected to impact, the future of the legal profession; and 2) develop realistic, practicable recommendations for how Connecticut attorneys can respond to these changes. I appointed Vincent Pace to chair the task force and under his leadership, it completed its promised deliverables, including a BarChat on cybersecurity and a CLE at the legal conference on how technology and changing business models impact legal practice.

As I turn over the helm of the CBA to Karen DeMeola and the leadership team, the CBA is financially stable, our membership is growing, our sections and committees are vibrant, and the CBA staff is doing great work. However, equally important to me, the CBA has hit its stride as a leader on issues that matter. Our association is not a passive organization that stands idly by while our institutions are attacked, access to justice is denied, and

xenophobia influences policy. To the contrary, the CBA stood up and became a watchdog for the rule of law, which is at the very core of the "Purposes" of our constitution.

It has been an incredible honor to serve as your president.

SECTION REPORTS

ALTERNATIVE DISPUTE RESOLUTION SECTION

Alexandra Gillett and Gary Sheldon, 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

Meetings

The section experienced some difficulty with meeting attendance and member involvement this year. While a core group continued to be actively involved in the 2016-2017 year, as the section continues to grow and evolve, new meeting venues and styles should be considered in order to best serve the needs of our members. Meetings were held in November, February, and May, with other meetings having been cancelled due to low turnout from section membership.

Section Activities

The executive committee of the ADR Section is actively engaged in multi-lateral diversity recruitment. By engaging with non-lawyer professionals interested in ADR, the Young Lawyers Section, and area law schools, the section continues to grow in membership.

The section also actively participated in the 2017 Legislative Session and hopes that it can continue to serve as a guiding force for effective uses of dispute resolution tools in Connecticut.

The ADR Section has continued to revitalize the lawyer to client and lawyer to lawyer fee dispute programs administered by the CBA. The section is effectively and efficiently clearing the multi-year back log of pending cases, and has established an efficient system to mediate and/or arbitrate the disputes. A sub-committee established by the section has put forth recommendations to remediate the budgetary and logistical challenges uncovered.

Seminars/CLE's

February 15, 2017 - The Evolving Role of the E-Discovery Neutral

The section held a successful joint meeting with the Construction Law Section with 23 in attendance. The half hour program provide valuable insight into a new area of mediation and arbitration services. There was a consistently positive response from those who attended and relevant written materials were distributed to attendees by email following the program.

April 26, 2017 - The Essentials of ADR: How to Make Court Mediation Centers Work for You

The section assisted YLS with their successful and timely Mediation Center Tour CLE through promotion and speaker involvement from the Section's Executive Board.

ANIMAL LAW SECTION

Colette S. Griffin and Suzan M. Porto, Co-chairs

Purpose

Formed in 2002, the purposes of the Animal Law Section are to (i) 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; (ii) 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; (iii) to be a resource for people, organizations, and government agencies that wish to obtain information about the subject; (iv) 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 (v) 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.

Executive Committee Meetings

Executive meetings have been held quarterly. During conference organization, meetings occur weekly.

CLE

N/A

Publications

N/A

Legislative Efforts

The section has followed pending legislation concerning animals and has forwarded information to the members accordingly. It has sought and obtained authority to take positions on pending legislation.

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

The Animal Law Section joined with Quinnipiac University School of Law to host a conference on legal standing as it relates to animals. The purpose of the conference was to educate practitioners regarding the various issues that arise when representing animals. As standing is essential for the bringing of a lawsuit, practitioners must know the status of law pertaining to legal standing as it relates to animals. The conference was open to both legal professionals and the non-legal community. Speakers included Professor Jessica Rubin, Professor Linda Meyer, and Attorney John Williams.

The conference was recorded by Quinnipiac School of Law and can be made available.

This year we will have a presence at the June 12, 2017 Connecticut Legal Conference. We will have a seminar on trends in Animal Law and legislation.

ANTITRUST AND TRADE REGULATION SECTION

Michael Kurs, Chair

Purpose

This section aims to familiarize CBA members with all aspects of state and federal antitrust and trade regulation law.

Annual Report

For our fall event, the section brought United States Justice Department Antitrust Division Deputy Assistant Attorney General for Civil Enforcement Juan A. Arteaga to Hartford for a program held at the University of Connecticut School of Law. DAAG Arteaga answered questions about DOJ's antitrust enforcement activities during a moderated question and answer session. Members of the section, law students and UConn faculty attended the program. The Federal Practice Section co-sponsored the program. Hillary Greene, Zephaniah Swift Professor of Law, served as one of our co-moderators.

The section held our spring dinner meeting in New Haven at which Connecticut's Attorney General, the Honorable George Jepsen, spoke to the section.

The section will present a program at the Connecticut Legal Conference on June 12, 2017 on hot topics in antitrust and consumer protection law entitled, "Critical Developments in Antitrust and CUTPA." Our program speakers include: Lorrie Lewis Adeyemi, Assistant Attorney General, Department Head, Consumer Protection Department, Office of the Connecticut Attorney General; Michael E. Cole, Assistant Attorney General, Department Head, Antitrust and Government Program, Fraud Department, Office of the Connecticut Attorney General; and the section's Robert M. Langer of Wiggin and Dana, LLP, where he is a member of the firm's litigation department and co-chair of the firm's antitrust and consumer protection practice group.

We look forward to other similar activities in 2017-2018 with our section members and members of the association's other sections.

APPELLATE ADVOCACY SECTION

Daniel Krisch and Matthew Weiner, Co-chairs

Purpose

This section aims to improve appellate practice through meetings and CLE courses; determine the nature, scope, and interest in an appellate certification program; identify the resources and procedures required to maintain such a program and identify other means to improve the appellate law practice in Connecticut.

Annual Report

The Appellate Advocacy Section had a productive and eventful 2016-17 – and the best is yet to come at the CLC! First, at our meeting on March 1, 2017, the section Executive Committee chose Attorney James Sexton to replace Attorney Matthew Weiner as co-chair for 2017-18. Attorney Rebecca Harris will remain our secretary-treasurer for 2017-18, and I will serve one more year as co-chair.

This year, the section held four meetings and co-presented a CLE with the Young Lawyers Section Appellate Advocacy Committee:

- September 27, 2016: At our first meeting of the year, the section marked the 20th anniversary of *Sheff v. O'Neill* with a speech by the plaintiff's lead counsel, Attorney Wesley Horton. Attorney Horton discussed the plaintiffs' trial and appellate strategy, what he might have done differently with the benefit of hindsight, what progress the state has made since 1996 to end *de facto* segregation in Hartford's schools, and then took questions from the attendees.
- November 16, 2016: The section discussed implementation of a diversity plan. Section member Cristin Sheehan reported on the CBA Diversity Summit.
- January 11, 2017: At our January meeting, two former section stalwarts who are now Superior Court judges, Steve Ecker and John Farley, offered their perspectives on transitioning from the appellate bar to the trial bench. Judge Ecker and Judge Farley discussed:
 1. Whether their prior perspective as an appellate lawyer has helped her hurt their work as a trial judge, and if so, how.
 2. Examples of "culture shock" during their first year on the bench.
 3. How they have handled presiding over cases in areas of the law that were not a part of their practices as attorneys.
 4. Whether any of their decisions gone up on appeal, and if so, whether they cared about the result.
 5. Whether they have the time to write with the same thoughtfulness and fluency now that they're judges, and if not, how they make up for the time crunch.
- February 7, 2017: The section helped the Young Lawyers Section present a CLE entitled, "The Essentials of Appellate Practice: When to File Motions and Petitions for Certification." Section Co-chair Dan Krisch and section members Jonathan Weiner and Sam Schoonmaker IV were the panelists.
- March 1, 2017: Connecticut Supreme Court Justice Carmen Espinosa spoke about the impact that her personal and professional experiences have had on her work as a justice. In particular, Justice Espinosa discussed her work as the teacher and then an FBI agent before going to law school; and how being the first female Hispanic judge and justice in Connecticut has impacted her work.

The section placed an emphasis on diversity and inclusion in several ways in 2016-17: First, section Co-chair Dan Krisch and section member Cristin Sheehan attended the CBA Diversity Summit. The section plans to incorporate some of the ideas discussed at the summit – e.g. the impact of implicit bias, the importance of inclusivity – in future programs. Second, two of the section’s meetings had diversity as a theme (our September meeting on *Sheff v. O’Neill* and our March meeting with Justice Espinosa). Third, the section plans to devote several future meetings, or portions of such meetings, to diversity and inclusion.

Finally, as it does every year, the section is going to present at the 2017 Connecticut Legal Conference. However, this year we have planned something unusual, “May It Please the Court: Maximizing the Persuasive Power of Oral Argument,” at which section Co-chair Dan Krisch and section member Nancy Walker will argue before the United States Supreme Court. The panel will be section member and recently-retired Supreme Court Justice Peter Zarella, and Appellate Court Judges Christine Keller and Michael Sheldon. Before the argument each attorney will share their argument strategy out of the hearing of the other attorney and the panel of judges. Following the oral argument, the judges will offer feedback and analysis of the strengths and weaknesses of each attorney’s strategy and presentation.

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, 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 been unable to hold meetings this bar year, and the Executive Committee could not hold a quorum. This section continues to explore ways to accommodate schedules and locations in order for child protection lawyers to regularly attend meetings.

CLE

None.

Publications

None.

Legislative Efforts

This section takes as its primary core responsibility the monitoring of legislation pertaining to its mission statement. The section monitors legislation which impacts the areas of law related to its mission.

Volunteer Activities

None.

Other Programs, Events and Activities

This section continues to explore ways for child protection lawyers to advance their professional objectives.

COMMERCIAL FINANCE SECTION

Michael W. Kaufman, 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

Meetings

The current executive committee was installed for this section in the fall of 2015, and this leadership meets in person and telephonically to coordinate meetings with other section groups and arrange for speakers.

The section saw a significant increase in activity in 2017. The section held a meeting with a professor of finance from the Charles F. Dolan School of Business at Fairfield University. The goal of this presentation was to help lawyers provide added value to their clients by better understanding the business side of financing transactions. The speaker discussed key risks regarding valuation, with an emphasis on calculating the cost of capital, forecasting cash flows, and budgeting for unexpected events.

We also held a joint meeting with the Real Property Section where speakers discussed zoning issues that arise in connection with financings secured by real estate.

Legislative Efforts

Our group supported certain technical revisions to Section 108 of Article 4A of the Connecticut Uniform Commercial Code, the purpose of which is to allow Article 4A to govern portions of funds transfers that are not governed by the Electronic Funds Transfer Act of 1978 when only a portion of the transaction is governed by federal law. On May 30, 2017 the Connecticut House of Representatives passed Senate Bill 816 unanimously adopting the aforementioned amendments to UCC Article 4A. The Senate had passed this bill on April 20, so it now heads to the governor for final approval. This action is after years of testimony and submissions in each legislative session since 2010.

We are now also following House Bill 7198 which has been amended to include amendments to CT UCC §9-518 providing an expedited judicial review for unauthorized UCC filings and creating a criminal penalty for filing a false record in the Secretary of State UCC records or in the Land Records. The Commercial Finance Section submitted testimony on a stand-alone bill relating to the same subject matter (SB-931) recommending additional notices be sent to named parties before any hearing to invalidate a UCC filing – these recommendations were incorporated into the text added to this House bill. This bill was passed by the House on May 23, 2017 and is presently pending in the Senate.

COMMERCIAL LAW & BANKRUPTCY SECTION

Jessica Gossarth Kennedy, Chair

Purpose

The purpose of the Commercial Law and Bankruptcy Section is “to promote objectives of the State Bar Association of Connecticut within the field of commercial law and bankruptcy,” (section 2, bylaws of the Commercial Law and Bankruptcy Section of the Connecticut Bar Association). This section achieves this purpose by encouraging the exchange of ideas and scholarship among its members and by providing a forum to educate and update its members in matters of interest in the area of creditor/debtor relations in commercial transactions. To further these goals, each monthly section meeting is open to the entire section, and attendance is encouraged.

A primary goal this year was to draft and implement a section diversity policy (the “policy”). To that end, we formed a diversity sub-committee comprised of Erin Boatman, Tiz Scaccia, Tom Sansone, Roberta Napolitano, and Jessica Grossarth Kennedy. Our policy was adopted by the Executive Committee, and our work this year reflects our commitment to diversity and inclusion within the section.

Annual Report

Officers

The section’s officers for the 2016/2017 year have been:

Jessica Grossarth Kennedy, Chair; Pullman & Comley LLC

Thomas J. Sansone, Vice Chair; Carmody Torrance Sandak & Hennessey LLP

Roberta Napolitano, Treasurer/Secretary; Ignal Napolitano & Shapiro PC

Executive Committee Meetings

On August 16, 2016, the Executive Committee held a meeting to consider the formation of a Bench/Bar Committee (the “B/B Committee”) to improve communications between the bench and the section. The B/B Committee was approved unanimously, and is comprised of Kristin Mayhew, Thomas Gugliotti, Matthew Beatman, Irve J. Goldman, Barbara Katz, and Eric Henzy. The B/B Committee has met with the judges on numerous occasions over the last year to, amongst other things, assist with revisions to the Bankruptcy Local Rules.

Additional Executive Committee meetings were held immediately before the dinner meetings described below in October, November, February and April.

Dinner Meetings/Events

On September 22, 2016, the section held a meeting in New Haven at the Graduate Club at which Chief Bankruptcy Judge Julie A. Manning, addressed the attendees about her “Views from the Bench.”

On October 18, 2016, the section held a meeting at Herd Restaurant in Middletown where we featured a mock cross-examination of an appraiser. The examiners were Kellianne Baranowsky and Irve Goldman, and Judge (Retired) Anne Dranginis attended to offer her critique of the examinations.

On November 17, 2016, Roberta Napolitano moderated a panel event concerning preference litigation at Pine Orchard Country Club in Branford. Our panelists included Steve Kindseth, Hal Schaeffer, and Thomas Sansone.

On December 1, 2016, Judge James J. Tancredi’s investiture took place at the United States District Court, New Haven Division. District Court Judge Hall, Judge Nevins, and Chief Judge Manning and several other federal and

state court judges were present for the ceremony and reception. The section participated in the ceremony with Tom Gugliotti speaking on behalf of the section.

On December 12, 2016, the section held a joint holiday party with the Turnaround Management Association at the Quinnipiack Club.

On January 10, 2017, our section met at Updike Kelly & Spellacy PC's offices in Hartford to listen to a panel moderated by David Atkins related to ethics. Suzanne Sutton and Bill O'Sullivan also participated as panelists in the event. Immediately after the seminar, section members attended the UConn Women's basketball game at the XL Center.

On February 23, 2017, we held a dinner meeting at the Quinnipiack Club where Jeffrey Sklarz moderated a panel on employment taxes in and out of bankruptcy. The other panelists included: Louis Bucari, First Assistant Commissioner and General Counsel, Connecticut Department of Revenue Services; Denise Mondell, Assistant Attorney General, State of Connecticut; Christopher Lazar, Revenue Officer, Internal Revenue Service; and Lauren Nash, Asst. U.S. Attorney, District of Connecticut.

On March 23, 2017, Roberta Napolitano moderated a panel event entitled, "Helping Ourselves and Others – Coping with Mental Health Issues." The other panelists included: Sidney H. Phillips, M.D., Associate Clinical Professor of Psychiatry at the Yale School of Medicine; Judge (Retired) Elaine Gordon, Gordon ADR; and Stephen J Conover, Carmody Torrance Sandak & Hennessey LLP.

On April 27, 2017, the section featured a panel comprised of Judge Tancredi, Charlie Maglieri, Liz Austin, and Carl Gulliver to discuss the intersection of Chapter 13 and Chapter 11. The event took place at The Hartford Club in Hartford.

On May 16, 2017, we held a dinner meeting at Herd Restaurant in Middletown where our annual conference presenters, Doug Skalka, Matt Beatman, and Eva Kliegman, offered a teaser of their materials. We also held our Second Annual "CLABBY" Awards ceremony offering the following awards to the following section members: (1) Career Achievement Award given to Thomas Gugliotti, (2) Service to the Profession Award given to Jeffrey Sklarz and (3) Rising Star Award given to Joanna Kornafel.

On June 12, 2017, at the annual conference, Doug Skalka, Matt Beatman, and Eva Kliegman presented on behalf of the section the year in review related to consumer bankruptcy, business bankruptcy, and commercial law.

Miscellaneous Information

Our section formed several sub-committees, aside from the diversity and the bench/bar sub-committees, to help reach our goals. The sub-committees included: 1) a legislative committee comprised of Joanna Kornafel, Jeff Sklarz, and Chris Bowen; 2) a programming committee comprised of Bob White, Nick Quesenberry, John Cesaroni, and Patrick Linsey. Additionally, Nick Quesenberry operated as our education liaison. In that role, Nick assisted with making sure we understood the CLE process and received credit for events.

Our section applied for and was awarded a \$3,000 grant by the American College of Bankruptcy to use by November 2017 to educate members and non-members about bankruptcy to facilitate pro bono representation. A committee, comprised of Myles Alderman, Bonnie Mangan and Susan Williams, has been formed to determine how to utilize the grant to implement these objectives.

CONSTRUCTION LAW SECTION

Mark A. Rosenblum, 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 collegial relationships between those practicing attorneys and the members of the construction industry.

Annual Report

Section Officers and Liaisons

Under the section's by-laws, each officer serves a two-year term. The current slate of officers was elected at the section's March 15, 2017 meeting; their terms will be effective as of July 1, 2017. The incoming section officers are:

- Thomas Librizzi, Chair
- Donald Doeg, Vice-chair
- Michael Donnelly, Secretary
- Laurann Asklof, Treasurer
- Mark A. Rosenblum, Chair ex-officio

Section Liaison Appointees

- Martin Onorato and Federick Hedberg, Legislation
- V. Michael Simko, Membership
- Michael V. Pepe, Publicity
- Steven Lapp, Website
- Laurann Asklof, Education

Meetings and Programming

In accordance with CBA directives, so far this year the section has had four educational programs and will have a fifth in June 2017. We have also held four executive committee meetings and plan to hold a fifth on May 31, 2017.

The first educational program and section meeting was held in September 2016. This was a program on new school safety regulations pertaining to the construction industry.

Next, in October 2016, we had the section's annual construction law program at CCSU, where we acknowledged the section's scholarship winners from last year and had an educational segment presented by Conn DOT officials on plans for the I-84 viaduct reconstruction in Harford.

On February 15, our section co-sponsored a section meeting and program with the CBA's ADR Section wherein Construction Section Chair Emeritus, Brian Donnell, addressed evolving issues in using neutrals to assist and facilitate Ediscovery.

On March 15, 2017, the section held a meeting on bonding law in construction projects, and invited constituent member groups of the Connecticut Construction Industry Associations (CCIA) as well as members of the Municipal Law Section.

Finally, we expect to present the last section meeting and educational program of the 2016-2017 term on June 16, 2017 at the CBA Legal Conference. As has become customary over the past few years, the section will present on new developments in construction law, including recent case holdings of note and legislative updates.

Publications

Carrying a longstanding and valuable annual project, the section once again committed to produce its annual *Construction Case Law Summary* in May 2017. This detailed important court decisions and legislative developments that affected the construction industry in Connecticut during 2016. This extensive analysis and compilation of materials – amassed and edited by about 20 section members – will be made available online as a resource for all section members. The section’s annual presentation of this material will be made on June 16, 2017 at the CBA Annual Meeting.

Scholarships

Approximately 15 years ago, the section established a scholarship fund at CCSU to benefit undergraduate students in the Construction Management or Civil Engineering Programs. The section was pleased to once again enhance the available scholarship money, and enable the university to provide \$3,000 worth of scholarships sponsored by our section to two students in the current academic year and with plans to continue the scholarships in the future.

Diversity

At its September 2017 meeting, the section formally adopted, and is in full compliance with, the CBA’s Diversity and Inclusion Policy.

Legislative Initiatives

On the legislative front, this year the section, through the executive committee, re-authorized its opposition to legislation prohibiting mandatory ADR provisions in Home Improvement and New Home Construction contracts, and re-authorized its support of amendments to C.G.S Section 4-61 regarding pass-through claims of subcontractors and suppliers.

CRIMINAL JUSTICE SECTION

Moira L. Buckley, Chair

Purpose

The purpose of the Criminal Justice Section is to promote the objectives of the Connecticut Bar Association within the field of criminal justice. The section provides a forum for the discussion of issues of common interest to members of the judiciary and 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 meetings throughout the year in order to explore and discuss issues and legislation relevant to the field of criminal justice. At section meetings, guest speakers address topics of current interest to members. The section also tracks Connecticut legislative developments relevant to criminal law.

The Criminal Justice Section has held several dinner meetings throughout the year to explore and discuss issues relevant to the section's purpose. Speakers who have presented on issues within their areas of expertise included:

- Patricia King, Former Chief Disciplinary Counsel
- Carleton Giles; Board of Pardons and Parole, Chair
- Richard Sparaco; Board of Pardons and Parole, Executive Director
- Leland J. Moore; Board of Pardons and Parole, Legislative and Administrative Advisor
- Tara Brooks; Board of Pardons and Parole, Parole Manager
- Vicki Hutchinson, Vicki H. Hutchinson Attorney at Law
- Stephen Sedensky; Office of the State's Attorney, Danbury
- Kevin Lembo, Connecticut State Comptroller
- Janson Wu; GLAD, Executor Director
- Kenneth J. Bartschi, Horton Dowd Bartschi & Levesque PC
- Kevin T. Kane, Office of the Chief State's Attorney
- Leonard C. Boyle, Division of Criminal Justice
- Jennifer Zito, Law Office of Jennifer L. Zito
- Deborah DelPrete Sullivan; Office of the Public Defender, Counsel

The section served as a co-sponsor with the LGBT and YLS Sections for a discussion on the (possible) effects of the Trump presidency in Connecticut, with focus on social, political, and economical ramifications.

Additionally, the section has continued to monitor and receive information from members regarding legislation that relates to criminal justice issues. The section's Executive Committee voted to support Senate Bill 7287, An Act Implementing the Recommendations of the Connecticut Sentencing Commission Concerning Pretrial Release and Detention.

The Criminal Justice Section provided programs for members offering 5.5 credit hours of Continuing Legal Education.

Environmental Law Section

Christopher P. McCormack, 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 Meeting

- September 15, 2016, at Adriana's Restaurant in New Haven: Section members Harold Blinderman, Doug Pelham, and Connecticut Licensed Environmental Professional John Hankins reviewed concepts and highlights of DEEP's draft "Wave 2" Remediation Standard Regulations, which were then expected to emerge soon as a formal proposed regulation. Section member and past Chair Nancy Mendel moderated their presentations and an open discussion of the proposed revisions and possible subjects of section comments when the draft was formally proposed.
- October 19, 2016, at the University of Connecticut School of Law in Hartford: the section, in collaboration with the UConn Center for Energy & Environmental Law, presented a program entitled, "Trends and Tides of Climate Change in Connecticut – State and Local." Presentations were made by Prof. Sara C. Bronin, the University of Connecticut School of Law Thomas F. Gallivan chair in Real Property Law, and Faculty Director of the Center for Energy & Environmental Law; Attorney John P. Casey of Robinson & Cole LLP, Rebecca A. French, Ph.D., Director of Community Engagement for the Connecticut Institute for Resilience and Climate Adaptation, University of Connecticut Avery Point Campus; and David Murphy, P.E., CFM, Milone & MacBroom Inc. The panel discussion was moderated by Section Chair Christopher P. McCormack of Pullman & Comley LLC. The program was preceded by an informal career round table for UConn Law students. The section extends its thanks to Prof. Joseph A. MacDougald, director of the UConn Center for Energy and Environmental Law, for his collaboration and support.
- February 21, 2017, at Park Central Tavern, Hamden: the section meeting featured Connecticut General Assembly Environment Committee Leadership to discuss current environmental issues and initiatives for the 2017 legislative session. The section was privileged to host Environment Committee Co-Chairs Senator Ted Kennedy, Jr. and Representative Mike Demicco. Their comments were followed by questions and discussion. The meeting location was selected to promote engagement with the Quinnipiac University School of Law and was attended by Quinnipiac Law students.
- June 6, 2017 at the Hawthorne Inn, Berlin: the final section meeting of the year featured presentation of the section's Clyde O. Fisher Award, which recognizes individuals or entities who have made significant contributions to the preservation or enhancement of environmental quality through work in the field of environmental law, environmental protection, or environmental planning. The section was pleased to award this recognition to Roberta Willis and to the late Suellen McCuin. The awards were preceded by remarks from Timothy Hollister and Dean Timothy Fisher of the University of Connecticut School of Law. The award to Roberta Willis was presented by William Riiska. The award to Suellen McCuin was presented to her family by Matthew Ranelli. Special thanks to section member Barbara Miller for chairing the nominating committee.

Executive Committee Meetings

- The Executive Committee met by telephone conference and conferred by e-mail throughout the year to plan programming and discuss section business. An electronic poll was conducted in connection with the legislative issue discussed below.
- On June 6, 2017, the Executive Committee met immediately before the section meeting to nominate and elect officers for the next two years. All votes were in favor of the Nominating Committee's slate of Anne Peters as chair, Lee Hoffman as vice chair, Elizabeth Fortino as secretary, and Douglas Pelham as treasurer.

Continuing Legal Education

In addition to the two substantive section programs described above, the section is sponsoring a program at the Connecticut Legal Conference on June 12, 2017 entitled, "Climate Change Beyond Politics," focusing on two areas in which the objective realities of climate change are evaluated in objective terms – insurance underwriting and disclosure of climate change contingencies by publicly traded companies. The presenters will be John Beckman, Chief Underwriting Officer of QBE North America, and Christopher McCormack of Pullman & Comley LLC; the program will be moderated by Section Vice Chair and Chair-Elect Anne Peters.

Legislative Efforts

In conjunction with the CBA Real Property Section and the CBA Legislative Policy and Review Committee, the section engaged in a discussion about supporting SB 973, a bill to establish a residential property assessed clean energy (RPACE) program. The Environmental Section, through its Executive Committee, expressed willingness to support the bill and submitted a request to LPRC to do so. The Real Property Section had asked LPRC for authorization to take a position opposing the bill, for unrelated reasons. While the Sections and LPRC were working toward a mutually acceptable synthesis of views, the bill died in committee.

Volunteer Actions

None by the section as a whole, but members of the section devote significant time to pro bono or public and charitable efforts.

Budgetary Notes

The section had a fund balance of \$10,958.87 as of May 31, 2017, the latest report available at this writing.

ESTATES & PROBATE SECTION

Richard Marone, Chair

Purpose

This section focuses on Connecticut practice affecting wills, estates, trusts, guardianship, conservatorship, property interest of spouses, transfers of property, powers of attorney, and living wills, as well as the impact of gift, inheritance, estate, and income taxes.

Annual Report

Steering Committee met over the summer of 2016 to plan year.

Nine meetings, four of which were full Section meetings. CLE at every meeting.

Sponsored one half-day CLE. Sponsored one CLE session at CT Legal Conference.

Staffed seminar for Probate judges.

Two section newsletters published with substantive content.

Staffed one Veteran's estate planning day.

Hosted Karolyn Ryan, CBA Presidential Fellow.

Testified and otherwise supported or opposed legislation:

Supported

Uniform Power of Attorney Act

Uniform Recognition of Substituted Decision-Making Documents Act

Repeal of Estate Tax/Increase of Estate Tax Exemption

Repeal of Gift Tax

MOLST

Opposed

Spousal Statutory Share

Tax Preparer Penalties

Elder Financial Abuse

Worked on

Probate Court Fee Lien

Fiduciary Responsibility

Random Conservator Audits by PCA

Probate Court Budget/Probate Court Fee for Decedents' Estates

FEDERAL PRACTICE SECTION

Jonathan B. Orleans and Shelley R. Sadin, Co-chairs

Purpose

The Federal Practice Section (the "Section") is involved with all aspects of practice in the federal courts in Connecticut. Working primarily with the federal district and magistrate judges, who are *ex officio* members of the Executive Committee, with the invaluable assistance of Clerk of Court Robin Tabora and Chief Deputy Clerk Dinah Milton Kinney, the section seeks to create a forum for consultation and dialogue between members of the federal bar and the bench on issues of mutual interest, including rules and practice in the federal courts, relevant legislation, content for general meetings, presentations, and topics for the section's bench-bar conference. On its own or through its two main committees (Civil Practice and Criminal Practice), the section takes an active role in shaping and commenting on legal and procedural developments affecting federal practice in the District of Connecticut.

Annual Report

On September 21, 2016, the Federal Practice Section's Executive Committee met at the Quinnipiac Club. The discussion included: proposed topics for upcoming section meetings; a report from Judge Arterton on behalf of the court, regarding an advisory committee report on proposed changes to the Local Rules of Criminal Procedure, and a reminder of the upcoming bench-bar conference at St. Clement's Castle.

On October 5, 2016, the Federal Practice Section, together with the Antitrust and Trade Regulation Section, co-hosted a program at the University of Connecticut featuring a question and answer session with Juan A. Arteaga, U.S. Department of Justice Antitrust Division Deputy Assistant for Civil Enforcement.

On October 28, 2016, the section hosted its biennial bench-bar conference at St. Clement's Castle. The day began with remarks by Chief Judge Hall on the state of the district. Judge Hall's report was followed by a series of panels, including: a discussion with federal magistrate judges about effectively preparing for settlement conferences, a discussion with experts in cyber security about the dizzying developments in technology and concomitant need for legal and strategic responses to cyber threats, a very moving presentation by Judges Arterton and Bryant about Support Court, and a discussion about the complexities of conducting sexual assault investigations on college campuses. At the luncheon, pro bono awards were presented to Attorneys David Zabel and David Dobin of Cohen and Wolf for their work on behalf of inmates in cases relating to the prisoners' rights under the free exercise clause of the First Amendment. The Raymond B. Green Award for outstanding service to the district judges was awarded to Attorney Ernie Mattei of Day Pitney for his service to the court as chairman of the Federal Grievance Committee. Thanks for the great day go to Adam Mocchiolo and other members of the planning committee.

On January 26, 2017, the full section met at the Quinnipiac Club. The very well attended meeting featured a panel discussion moderated by Judith Resnik, Arthur Liman Professor of Law at the Yale Law School. The panelists were the District of Connecticut's current United States Attorney, the Hon. Deirdre Daly, and three former United States Attorneys for the district, Circuit Judge Christopher Droney; Attorney Kevin O'Connor of Point72 Asset Management; and Attorney Stanley Twardy, Managing Partner of Day Pitney LLP. The panel discussed the processes for making decisions on behalf of the U.S. government in civil and criminal litigation, and how agendas and initiatives in place might be affected by the change of administration in Washington. (Just days after the meeting, on January 31, 2017, the Trump Administration fired Acting Attorney General Sally Yates for refusing to defend the new administration's controversial travel ban which, among other things, temporarily barred nationals from seven Muslim-majority countries from entering the United States, and permanently banned Syrian nationals from entering this country.)

On March 15, 2017, the section held a meeting of the Executive Committee at the Quinnipiac Club. The meeting featured a talk by Professor John Thomas of Quinnipiac University School of Law about his use of current events

and cases, most notably the litigation engendered by the Trump Administration's travel bans, to teach his Civil Procedure class.

The section's year will end this month with the traditional Bench-Bar Social at the Pine Orchard Country Club in Branford on June 21, 2017.

Current Section Officers

Jonathan B. Orleans, Co-chair, Pullman & Comley LLC

Shelley R. Sadin, Co-chair, Quinnipiac University School of Law

Robert Frost, Treasurer, Frost Bussert LLC

James J. Healy, Secretary, Cowdery & Murphy LLC

Sherwin M. Yoder, Legislative Liaison, Carmody Torrance Sandak & Hennessey LLP

Joseph Martini, Co-chair, Criminal Practice Committee, Wiggin & Dana LLP

Brian Spears, Co-chair, Criminal Practice Committee, Spears Manning LLC

Adam S. Mocchiolo, Co-chair, Civil Practice Committee; Chair, Bench-Bar Retreat Planning Committee, Pullman & Comley LLC

FRANCHISE, DISTRIBUTION & DEALER LAW SECTION

John Doroghazi, 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 year the section had multiple officers, filled every liaison position, and enjoyed a truly engaged membership. In addition, the section presented well-attended and meaningful programs to its members and guests.

The section had four meetings this year. The first two meetings were held at the Quinnipiack Club in New Haven. The first meeting was an educational meeting where Nicole Micklich, the immediate prior section chair, presided over a roundtable discussion regarding ways to deal with a franchisor that is failing or has abandoned the system. The second meeting was a holiday celebration held at Chuck's Steakhouse in Rocky Hill.

The third and fourth meetings were both educational in nature and qualified for Connecticut CLE credit. The third meeting, held at Adriana's in New Haven, included a presentation by Allan Hillman—an attorney with decades of experience in franchising and a former section chair—regarding the duty of good faith and fair dealing under Connecticut law. The final meeting, held at the Quinnipiac Club in New Haven, included an educational program presented by Nicole Micklich regarding protecting brand value and intellectual property value in tangential agreements, such as leases, equipment leases, employment, and non-disclosure agreements.

Section members authored or co-authored articles published in the *Franchise Law Journal* of the ABA Forum on Franchising.

In addition to events in Connecticut, a number of our section members attended and presented during the ABA Forum on Franchising, in Miami and also attended the International Franchise Association's Legal Symposium in Washington. The section's publicity liaison reported to the section about those meetings, as well. Finally, the section congratulates Bethany Appleby—a longtime section member—on her recent hiring as the Chief Legal Officer at Franchise World Headquarters, LLC (Subway®).

We are excited about next year. All of our liaison positions are filled and the Executive Committee is consistently engaged in the affairs of the section and the work of its members.

HUMAN RIGHTS & 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 attempts to meet several times a year, but generally communicates with its members via e-mail.

CLE

2016-17: The section again monitored legislation being considered on the death penalty and offered testimony in support of a proposed law prohibiting mental health professionals from using "conversion therapy to change a youth's sexual orientation." In addition, we submitted comments in support of the CBA's proposed version of the ABA proposed amendment to Rule 8.4.7, which would allow discipline against a lawyer who engages in harassment that violated Title VII and similar statutes.

The section moved successfully to have the CBA adopt as an Association position support for the laws that provide legal protection for refugees, asylum seekers, torture victims, and other deserving humanitarian refuge and to urge congress to do the same.

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 and the new responsibilities the legislature imposes.

Finally, we were pleased to join the Elder Law Section in sponsoring a meeting at UConn School of Law regarding the unique issues facing LGBTQ clients as they age and the many forms of discrimination they may face.

INSURANCE LAW SECTION

Marilyn B. Fagelson, Chair

Purpose

The Insurance Law Section, includes approximately 210 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

Much was accomplished this year by many members of the section working together. The chair communicated with all section members on a regular basis through e-mail and the CBA's listserv, Sidebar, keeping them informed of section activities and encouraging members to be active participants in section meetings and events.

Programs

We are pleased to report that by the conclusion of Fiscal Year 2017, the Insurance Law Section will have:

- Conducted and/or co-sponsored four CLE programs
- Hosted a dinner meeting with, and presentation by, the Deputy Insurance Commissioner
- Held four section meetings
- Held three Executive Committee meetings
- Continued efforts to devise a section diversity plan
- Begun the process of amending section bylaws to allow cost-free CLE programs for JD, LLM, and paralegal students

Legislative Efforts

Legislative review and communication efforts were well-coordinated and timely. Our legislative liaisons provided detailed regular reports at meetings. In the future, should relevant proposed legislation require it, electronic updates and written materials regarding pending legislative matters will be provided, resulting in a better informed membership.

YLS / UConn Law School Involvement

For the third year in a row, we had very direct involvement and participation in the section by the Young Lawyers Section ("YLS") contingent. As a section, we are effectively utilizing the resources available to both sections and are bridging the relationship to younger constituents in order to solidify our base for the future. Specifically, in May we held a joint meeting with the YLS and members of both sections collaborated in presenting a CLE on criminal insurance and fidelity bonds. We also were pleased to have two Executive Committee members this year from UConn School of Law. Student Brian Glenn continued to participate; and Peter Kochenburger, Associate Clinical Professor of Law, Executive Director of the Insurance LLM Program, and Deputy Director of the Insurance Law Center, has continued to serve on the Executive Committee.

Membership

Our membership stayed at the same level (210 members) as in Fiscal Year 2016.

Communication

Meeting announcements and agendas are consistently circulated through Sidebar and the CBA website, and announcements and articles have been periodically posted regularly to the section's LinkedIn site.

2016-2017 Meetings and Events

The meetings and events held to date are as follows:

September 20, 2016 Executive Committee Meeting – The first EC meeting was held at the Quinnipiac Club in New Haven. Treasurer Bethany Barrese gave the treasurer’s report. Next, the committee discussed planning for the year’s educational programs and presentations including a presentation by the Insurance Department Commissioner and CLEs on Corporate Designee Depositions, Crime Insurance, Bad Faith Claims, and the Annual Review of Connecticut Insurance Cases. The committee also discussed a proposed program or series of programs on the history of the insurance industry in Connecticut. Diversity Liaison Tamar Bakhbava, provided a report on her efforts to work with Affinity Bars and the YLS. The chair also reported on the fact that the Disaster Hotline was currently offline and that volunteers were needed to reorganize the service. As a follow-up to the section’s 2016 Symposium on Discovery, the chair also discussed creating a committee that would consider and perhaps propose Practice Book rules that would address concerns peculiar to insurance coverage disputes. A tentative agenda for the coming year was set.

October 24, 2016 Meeting – An initial meeting of section members interested in discussing potential proposals for Practice Book changes to address litigation concerns peculiar to insurance coverage cases was held via video conference at the Stamford, New Haven, and Hartford offices. The chair reviewed the process for approval by the section and then the CBA. The attendees held a wide ranging discussion of potential recommendations from rule changes to a voluntary protocol. Future meetings of the committee will be planned.

November 17, 2016 Section Meeting with Insurance Commissioner – The section meeting was held at Carbone’s Ristorante in Hartford. The meeting began with a presentation by Insurance Commissioner Katharine Wade, who addressed a wide range of topics concerning the insurance department, including department regulatory oversight initiatives and lean government initiatives. Commissioner Wade then took questions from section members. Thereafter, Treasurer Bethany Barrese presented a report on the section’s finances. Vice President and Co-Education Liaison Elizabeth Ahlstrand reported on plans for upcoming CLEs. Legislative Liaison Brianna Spinnato reported on a flurry of new insurance-related legislation that was expected in January. Diversity Liaison Tamar Bakhbava reported on a proposal to hold lunches with students. Publicity Liaison John Pitblado reported on planned updates to the section’s LinkedIn page. The chair reported on the initial meeting of section members in October to begin formulation of recommendations concerning the handling of insurance coverage litigation in the superior court.

December 6, 2016 Executive Committee Meeting – The meeting was held at the CBA headquarters in New Britain and via telephone conference. Treasurer Bethany Barrese presented a report on the section’s finances. Co-Education Liaisons Elizabeth Ahlstrand and Melissa Federico reported on plans for upcoming CLEs and the committee held an extended conversation regarding these plans and ways in which the web site could be improved. The chair reported that welcoming letters had been sent to new members.

January 12, 2017 Section Meeting and CLE Program – The meeting was held at Eli’s on Whitney in Hamden. The minutes for the meeting held on November 17, 2016 were approved by unanimous voice vote. Treasurer Bethany Barrese presented a report on the section’s finances. Co-Legislative Liaisons Brianna Spinnato and Teresa Guertin reported on three bills they were tracking pertaining to property insurance. Co-Education Liaisons Elizabeth Ahlstrand and Melissa Federico reported on plans for upcoming CLEs and encouraged members to volunteer for presentations. Thereafter followed a CLE entitled, “Corporate Designee Depositions in Insurance Coverage Litigation,” presented by Ernest Mattei, Day Pitney LLP; and Edward P. McCreery III, Pullman & Comley LLC.

February 8, 2017 Executive Committee Meeting – The meeting was held via telephone conference. The minutes for the EC meetings held on September 20, 2016 and December 6, 2016 were approved by unanimous voice vote. Treasurer Bethany Barrese presented a report on the section’s finances. Co-Education Liaison Melissa Federico reported on plans for upcoming CLEs and the committee discussed at length the bad faith symposium and other ideas for presentations. Co-Legislative Liaison Brianna Spinnato reported on three bills of interest concerning limitation periods, crumbling foundations, and credit scores.

February 23, 2017 CLE Program - The ILS and the Insurance Law Center at UConn School of Law jointly sponsored a 3.0 credit hour CLE, "Annual Insurance Law Symposium: Developments in and Enduring Challenges of Bad Faith Litigation," at UConn School of Law in Hartford. This symposium began with a welcome by Chair Marilyn B. Fagelson of Murtha Cullina LLP. The first panel composed of Peter Kochenburger, Insurance Law Center, UConn School of Law; Elizabeth J. Stewart, Murtha Cullina LLP; and Gerald ("Kip") P. Dwyer, Jr., Robinson & Cole LLP; discussed the current state of the law in Connecticut and elsewhere on what is, and is not, bad faith. The second panel, composed of Hon. Charles T. Lee, Connecticut Superior Court, Stamford; Elizabeth F. Ahlstrand, Seiger Gfeller Laurie LLP; Robert D. Helfand, Carlton Fields Jordan Burt LLP; and Jeffrey J. Vita, Saxe Doernberger & Vita PC; addressed discovery and proof at trial and whether the attorney-client privilege is eroding in the context of bad faith litigation. Following the CLE program, the section hosted a networking cocktail reception, which provided an opportunity for section members and students from the UConn Insurance Law Program to socialize and network.

March 27, 2016 Section Meeting & CLE Program – The meeting was held at Adrianna's in New Haven. The minutes for the section meeting held on January 12, 2017 were approved by unanimous voice vote. The chair presented a report on the section's finances. Co-Education Liaison Melissa Federico reported on the prior month's symposium and plans for upcoming CLEs and next year. The meeting was followed by the CLE program, "The Annual Review of Connecticut Insurance-Related Decisions," presented by Regen O'Malley, Gordon & Rees LLP; Shrina B. Faldu, Seiger Gfeller Laurie LLP; and Michael V. Pepe, Saxe Doernberger & Vita PC.

May 8, 2017 Section Meeting and CLE Program – A joint meeting of the ILS and YLS was held at Seasons at Jeffrey's Restaurant in Milford. Treasurer Bethany Barrese presented a report on the section's finances. Co-Education Liaisons Elizabeth Ahlstrand and Melissa Federico reported on plans for upcoming Connecticut Legal Conference and planning for CLEs for next year. The meeting was followed by the program, "*Have You Been Robbed?* Fidelity and Crime Insurance in a Nutshell." The program was moderated by Marilyn B. Fagelson, Murtha Cullina LLP and presented by ILS members John C. Pitblado, Carlton Fields Jordan Burt PA and Edward J. Stein, Anderson Kill PC; and YLS member J. Tyler Butts, Robinson & Cole LLP.

Plans for the Rest of the Bar Year

June 12, 2016 CLE Program – At the Connecticut Legal Conference, the ILS will present a CLE program, "Quantifying Financial Damages and Identifying Potential Insurance Recovery under Various Types of Policies." This program will address the computation of lost profits, property damage and extra expenses, as well as the process by which policyholders may find coverage under various types of insurance policies. The program will be presented by Karen Cusato, Cusato Consulting and Mark A. Riley, Conway Stoughton; and Melissa A. Federico of Murtha Cullina LLP will serve as moderator.

June 29, 2017 Executive Committee Meeting and Joint ILS/YLS Networking Event – The EC meeting will be held from 5:30 p.m. - 6:00 p.m. at Salute Restaurant in Hartford. The EC meeting will address; (1) the need for review and amendment of the bylaws; (2) the section's diversity policy and initiatives; (3) program planning for the coming year; and (4) Executive Committee membership. The EC meeting will be followed by a ILS/YLS networking event.

Plans for the Coming Bar Year

The ILS is in the process of planning CLEs for Fiscal Year 2018. In the fall, the section will begin with two programs in its planned series on the history of the insurance industry in Connecticut, a series expected to continue over several years. In September 2017, the section will hold the first program at Aetna in Hartford where a program will be presented on the beginnings and development of health insurance. In October, the section will hold its second program at the world headquarters of the Knights of Columbus in New Haven for a program on the history of the K of C and their involvement in the insurance industry. These and other CLE programs will be discussed further at the June 29, 2017 Executive Committee meeting.

As a follow-up to last year's training for the Disaster Relief Hotline, we will be working on developing a CBA webpage to encourage volunteers, make training readily accessible to new volunteers, and advertise the hotline's service after a weather event.

As a follow-up to the February 26, 2016 Symposium on Reducing Discovery, the ILS will proceed with a working group with the goal to ultimately make some modest recommendations to the Connecticut Superior Court as to methods for streamlining insurance coverage litigation.

The ILS will continue to look for ways to increase the diversity of its membership by planning programs and networking events with other sections, affinity bar groups and the Insurance Law Center at UConn School of Law. Next year we hope to team up with the Women in the Law Section, YLS, and UConn for a lunch and learn or breakfast event focused on women in insurance. This and other networking functions will be discussed further at the next Executive Committee meeting.

The ILS hopes to continue to increase interest and participation by its members in Fiscal Year 2018. Consistent with the CBA's goals, ILS expects that its efforts to provide a wide array of educational and networking programs, to address issues of import to our members, and to coordinate these activities with other interested sections will encourage a more diverse membership to participate in ILS activities.

INTELLECTUAL PROPERTY LAW SECTION

Alaine C. Doolan and Scott Lydon, Co-chairs

Purpose

The purpose of this section is to promote patent, trademark, copyright, trade secret, unfair competition, and other technology-related areas of the law.

Annual Report

In this term the Intellectual Property Law Section increased its membership to 194 members.

To date the section has held the following events/programs:

- On January 26, 2017 the section hosted a program entitled, "IP Year in Review." The event offered 2.5 hours of CT CLE and was held at the CBA's office. About 22 people attended the event.
- On June 20, 2017 the section will be hosting a program entitled, "TC Heartland: Restricting Patent Litigation Venue – The Demise of the Eastern District of Texas??" This event will be a review of the U.S. Supreme Court's TC Heartland case and how it affects cases in the District of Connecticut. The program is offering 1.0 hours of CT CLE. It will be held at the offices of Robinson+Cole in Hartford. Currently, 10 people are registered to attend.
- In the fall, the section plans to host a social/networking event for its section members at a local brewery. The event will possibly incorporate an educational component relating to trademark developments in the brewing industry. The section is large and such an event would allow members to get to know each other and hopefully create a comradery whereby the members would get more involved in the section.

In early spring of 2017, the Executive Committee also updated the section's bylaws for the first time since 1988. The bylaws were approved by the Board of Governors on May 15, 2017.

MEETINGS

The section has held 4 Executive Committee meetings.

The section has held 2 full Section meetings.

LABOR & EMPLOYMENT LAW SECTION

David S. Rintoul, Chair

Purpose

The functions of the section include the study, analysis, consideration, research, and investigation of legal principles having particular significance to labor or employment law; the promotion of the bar's leadership in matters of public importance affecting labor or employment law; the publication of works of legal scholarship; the preparation, evaluation, submission, advocacy, endorsement, and opposing of legislation pertaining to labor or employment law; the presentation of the highest quality legal education and other programs of interest to the Bar and general public; the promotion of diversity within the Labor and Employment Bar, and the encouragement of cordial relations between members of the bar and members of other professions and disciplines concerning labor or employment law. See: Article I, Section 2 of the Labor and Employment Law Section Bylaws, approved May 10, 2010.

Annual Report

Section Officers

David S. Rintoul of Zeldes Needle & Cooper PC, Chair

Rachel Goldberg of Pullman Comley LLC, Vice-chair

Jay Crowley of Law Office of Jay Crowley, Treasurer

Joshua Goodbaum of Garrison Levin-Epstein Fitzgerald & Pirrotti PC, Secretary

Section Meetings

The section held eight meetings during the bar year, all of which were open to the entire membership.

Traditionally, the section has held evening meetings at restaurants with a business meeting, a social networking opportunity, and a sit-down dinner with an educational program generally in the Hartford-New Haven corridor. In an effort to determine if a change in the venue or structure of the meetings might increase attendance, the section did an online survey to determine if the membership would prefer occasional meetings in places other than in the Hartford-New Haven area, and whether they would like a different structure, such as sandwiches at the CBA headquarters or by video conference at a law firm. The preference of the approximately 50 members who responded, was to maintain the current meeting structure, so the section did not change it.

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

- September 15, 2016: Mark Sommaruga of Pullman Comley LLC gave his annual legislative update from the recent Connecticut legislative session.
- October 20, 2016: Rebecca Goldberg of Berchem Moses & Devlin PC discussed the recent EEOC guidance on retaliation and related cases.
- November 17, 2016: Adam Mocchiolo of Pullman Comley LLC discussed immigration issues important to employment law practitioners.
- December 8, 2016: The section held a meeting to plan for, and seek the input of the section members regarding, the educational programs for the March Advanced Employment Law Symposium and the section's programs for the Connecticut Legal Conference in June.
- January 19, 2017: Mediha Malik and Kristen L. Zaehring of Murtha Cullina LLP spoke about developments in the law of equal pay.
- February 16, 2017: David Bondanza, The Lane Construction Company discussed issues important to both management-side and employee counsel in dealing with in-house counsel.

- April 20, 2017: The Honorable Jeffrey Meyer, USDC Judge, spoke to a joint meeting of the section and the Connecticut Employment Lawyers Association. For several years, the section has co-hosted meetings with CELA at which Connecticut district judges have spoken regarding litigating employment cases in federal court.
- May 18, 2017: David Adkins spoke on ethical issues with joint representation.

CLE Programs

The Section organized two CLE programs:

- March 16, 2017. For the sixth year, the section organized the Advanced Employment Law Symposium, a full-day labor and employment law educational program. Well over 100 people attended. The following programs were offered:
 - Legal Ethics: Issues with Joint Representation by Mark DuBois and Todd Steigman
 - Electronic Discovery For the Small Firm Lawyer by Chad Edgar and Robert Milburn
 - The CHRO: What You Don't Know But Should by Cheryl Sharp, Nicole Rothgeb, and Peter Murphy
 - The ADA, FMLA, and Workers Compensation: Leave Issues in Employment by Mary Kelly and John Stretton
 - Legal Drugs in the Workplace by Rachel Ginsburg, Megan Carranante, and Alexa Lindaeur
 - Wage & Hour Update with Michael Lavelle and Mariusz Kurzyna
 - Annual Update of Employment Law by Joshua Hawks-Ladd and Joshua Goodbaum
- At the Connecticut Legal Conference on June 12, the section is presenting two educational programs:
 - Joe Garrison and Chuck Stohler will discuss arbitrating employment cases
 - Zak Schurin, Jennifer Levy, and representatives from the CHRO will discuss transgender issues in the workplace

Legislation

Mark Sommaruga monitors relevant employment law legislation in the Connecticut legislature. Due to the diverse views of the section member, including both employee and employer side counsel, the section is generally unable to take any positions on particular legislation.

Other Initiatives

The section revived its award to law students, awarding a \$1,000 prize each to students at UConn School of Law and Quinnipiac University School of Law. Along with the prize money, the section will pay the section fee for the Labor & Employment Section if the winners join the CBA, and will cover the cost of their attendance at the section's regular meetings. The prizes were named the Kathy Eldergill Prize for Excellence in Employment Law, in honor of the many personal and professional contributions Kathy made to the bar and everyone who knew her. Kathy sadly passed away this bar year.

LITIGATION SECTION

Scott Harrington, Chair

Purpose

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

Annual Report

Section Meetings

The Litigation Section had five full section meetings, each included an Executive Committee business meeting. The section also conducted one telephonic Executive Committee meeting. Those meetings are summarized below.

On September 13, 2016, the section had a joint meeting with the Business Law and Young Lawyers Sections. Our guest and speaker was the Honorable William Bright, Chief Administrative Judge of the Civil Division. Judge Bright spoke about his efforts to create a complex commercial claims process within the existing complex litigation docket.

On October 18, 2016, Ralph Monaco, who also serves as legislative liaison, spoke about statutes of interest to the Litigation Section that were passed in the previous legislative session, and he reported on potential new legislative initiatives which could affect the Litigation Section in the 2017 legislative session. Chairman Scott Harrington, presented a program with written materials on the changes to the Connecticut Practice Book which took effect on October 1, 2016 and discussed additional Practice Book changes being considered by the Civil Commission and the Rules Committee.

On November 17, 2016, Michael McDonald, Ph.D., Assistant Professor of Finance at the Dolan School of Finance at Fairfield University, presented a program entitled, “The Four Methods of Calculating Economic Harm and Damages,” in which he discussed the calculation and presentation of economic damages claims in litigation.

On February 16, 2017, the Executive Committee had a telephonic meeting. The primary business conducted during that telephonic meeting reviewed proposed legislation and the section’s interest in seeking permission to take a position opposing two bills: a bill seeking to increase the small claims limit to \$10,000 and a bill seeking to prohibit or limit contingency attorneys’ fee agreements in municipal tax appeals.

On March 21, 2017, the Litigation Section held a meeting, which the Young Lawyers Section was invited to attend, where Robert Galinsky gave an interactive presentation titled, “Improv for Lawyers.” The meeting was organized and arranged by Latisha Davis, the section’s presidential fellow. Attendees obtained two CLE credits for attending.

On April 25, 2017, the section had a meeting and Kenneth Laska gave an interactive presentation on the use of an iPad at trial. Attendees obtained 1.25 CLE credits for attendance at this section meeting.

CLE/Connecticut Legal Conference

On January 31, 2017, the Litigation Section, together with the Federal Practice Section and the Young Lawyers Section, co-sponsored a CLE Program entitled, "Lessons in Trial Advocacy," where Professors Faust Rossi and Glenn Altschuler from Cornell University, gave a wonderful presentation focusing on four famous trials.

On March 31, 2017, the Litigation Section sponsored a CLE program on, "Advanced Evidence: ESI, Social Media, and Cellphones." Speakers included Matthew Wagner, Jane Christie, Jonathan Kaplan, and Aaron Romano. Emily Gianquinto, the section's presidential fellow, moderated the presentation.

On June 12, 2017, at the Connecticut Legal Conference, the Litigation Section is co-sponsoring a program on negotiation with noted national expert, Marty Latz.

Litigation Section Retreat

The Litigation Section conducted its first-ever out of state Litigation Retreat scheduled on May 17-19, 2017 at the Chatham Bars in Chatham, Massachusetts. The section presented a full slate of speakers on May 18 and 19, including Scott Harrington, Ed McCreery, Bill O'Sullivan, Sarah Poriss, Sharon Pope, Jim Budinetz, Jude Basile, James Sullivan, and John Bonee. Topics included recent developments in commercial law, dispositive motion practice, law office management, effective use of paralegals, ethical issues in the use of social media, and an interactive workshop intended to enhance communication with juries. Attendees obtained 8.0 hours of Connecticut CLE credit, including one hour of ethics. Special thanks go to Executive Committee member John Bonee, who worked for years to try to make this retreat a reality. The retreat was a great success, and the section hopes that it can become a regular event of the section in the future.

Legislative Initiatives

The Litigation Section appeared before the LPRC seeking permission to take section positions on proposed legislation. A section position was permitted in opposition to HB 7197 "An Act Increasing the Jurisdictional Monetary Limit is Small Claims Actions." Additionally, the section's position opposing a bill seeking to prohibit contingent attorneys' fee agreements from the prior year permitted the section to oppose HB 6681 "An Act Concerning Municipal Tax Appeals and Attorney Contingency Agreements." Section Chair Scott Harrington prepared and submitted written testimony in opposition to both bills, and both bills failed to pass.

Other Activities

In an effort to get younger CBA members involved in the Litigation Section, the Litigation Section continued its policy throughout the fiscal year to pay the cost of attending section meetings for the first five members of the Young Lawyers Section who sign up for each meeting.

The section's two Presidential Fellows, Emily Gianquinto and Latisha Davis, were active in the section. Emily Gianquinto moderated the section's CLE program on Advanced Evidence: ESI, Social Media, and Cellphones on March 31, 2017. Latisha Davis organized and promoted the section's March 21 meeting where Robert Galinsky gave an interactive presentation titled, "Improv for Lawyers," for which attendees received 2.0 CLE credits.

PARALEGALS SECTION

James Budinetz and Joshua LaPorte, 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

The Paralegals Section began the bar year with a few priorities – continued provision of high-quality, cost-effective CLE programs for our members, development of a voluntary registration for qualified paralegals in this state, outreach to ABA-approved paralegal education programs, recruitment and development of a diverse group of leaders to represent the section, and improved access to our educational programs, business meetings, and networking opportunities to paralegals throughout the state.

We have achieved success on all fronts:

- We have worked with the Education Director at the CBA to accommodate educational programs designed for paralegals within the new MCLE rules for attorneys.
- We designed three excellent educational programs for paralegals – two programs were delivered by paralegals who went on to become attorneys, and one was a program on legal ethics specifically tailored to paralegals.
- We researched, drafted, shared, revised, and educated paralegals and attorneys on our voluntary paralegal registration proposal.
- We have done outreach to both Manchester Community College and Norwalk Community College paralegal programs. Both programs were very well attended by students and the section was able to send a diverse group of members to talk about their work, the section, and answer questions from students about entering the field, working with attorneys, and taking one of the national credentialing exams offered for paralegals.
- We worked with members at the Bridgeport and Hartford offices of Pullman & Comley LLC to arrange a dual-site meeting with live video conferencing to make.
- We also began running a conference call for all meetings.
- We've worked to be inclusive of the full diversity of our section and to create opportunities for different members to contribute through activities ranging from introducing our speakers, to reaching out to educational programs in the state, working on the aforementioned voluntary registration proposal, and working on ad-hoc committees.

REAL PROPERTY SECTION

Matthew J. Cholewa, 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

Matthew Cholewa, Chair
Brian Cantor, Vice Chair
Edward Shelton, Treasurer
Carolyn Cavolo, Secretary

Meetings & Education

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 2016 through May 2017 to provide professional development and enrichment to its members:

- "Uniform POA act 1-350-1-353b; A Summary of What You Need to Know"
- Neighborhood Association, Inc. v. Jill M. Limberger
- "Lender's Zoning Considerations,"
- Loss Mitigation Foreclosures
- Overview of Connecticut Real Estate Marketplace and Regulation
- IOLTA Account and Office Management
- "The New LLC Act (CULLCA) effective 7/1/15
- Frontiers in Zoning & Real Estate Development: Hartford

The section presented a seminar in September at the CBA Legal Center on title searching and examination. Presenters were Matthew Cholewa, Bruce Zawodniak, Barbara Smith, and Joseph Sanfillippo.

The section also presented a seminar in February at the CBA Legal Center entitled, "Residential Real Estate Closings: Practice Essentials & An Overview of the New Rule CLE." Presenters were Ed Rosenblatt and Lisa Lugauskas.

In addition to the other educational efforts of the section, the section will be presenting its Annual Survey of Case Law and States at the Connecticut Legal Conference in June, 2017.

We have prepared a handbook for officers of the section and a yearly calendar to aid in-coming officers about their duties and responsibilities throughout the year.

Legislation

The section has an active legislative subcommittee that works closely with the CBA lobbyist to identify bills of interest to the real property practitioner. One of the problems that continue to hinder the section is the fact that many of these bills require immediate responses and the current method of securing CBA approval does not always allow us to be responsive enough to the legislative timetable. We are sometimes submitting testimony after the public

hearing and the value of a Bar Association position on a particular issue is often lost. Despite these shortcomings, we have taken the following positions on legislative matters this year.

Summary of legislative activity 2016-2017, RPS:

Building Permit. The Real Property Section *supports* legislation that would deem any building permit older than nine years closed by operation of law, thereby eliminating the need to obtain a “6 year letter” after a period of nine years from the date the permit was issued. This will save time and money for property owners selling the property, and the purchaser understanding that nothing further is needed. Approved by the House of Delegates, December 10, 2015; expires end of 2018 Legislative session.

Quit Claim Deed. The Real Property Section *opposes* legislation to require both the grantor and the grantee, or their duly authorized legal representatives, to be present at the time a quitclaim deed is executed. Approved by the House of Delegates, March 20, 2017; expires end of 2019 Legislative session.

Adverse Possession. The Real Property Section *opposes* legislation that would eliminate the possibility of acquiring property by adverse possession property when the owner pays the taxes on the land in question. Approved by the House of Delegates, March 23, 2015; expires end of 2017 Legislative session.

Infinite Duration of the Succession, Estate and Probate fee liens. The Real Property Section *supports* legislation to address the fact that a) Probate Court fee liens and estate/successions tax liens are of infinite duration; and b) property is sometimes conveyed or mortgaged without such liens being cleared. Approved by the House of Delegates, December 12, 2016; expires end of 2019 Legislative session.

Fixed Recording Fees. The Real Property Section *supports* legislation that would set fixed recording fees for documents to be filed on the land records in Connecticut for one-to-four family housing, without significantly increasing the average cost to record a document, in order to simplify the disclosures process in connection with residential closings occurring after new federal Consumer Financial Protection Bureau (“CFPB”) regulations go into effect on October 3, 2015. Approved by the House of Delegates, December 10, 2015; expires end of 2018 Legislative session.

Mechanic Liens Timeframe. The Real Property Section *opposes* legislation that would increase, from ninety days to ninety “business days,” the period in which a prospective mechanic’s lienor has to file a mechanic’s lien after work has ceased on the property in question. Approved by the House of Delegates, March 23, 2015; expires end of 2017 Legislative session.

Mechanics Lien on services rendered. The Real Property Section *opposes* legislation that would expand the Mechanics Lien statute to allow any person, whether “an independent contractor or an employee” to avail themselves of the ability to place a lien pursuant to the mechanic’s lien statute on an employer’s property, for “any . . . service rendered to an owner of land.” Approved by the House of Delegates, June 15, 2015; expires end of 2017 Legislative session.

Super-Priority Lien. The Real Property Section *opposes* legislation that would enable the Labor Commissioner or an employee to place a super-priority lien on any personal or real property in which an employer has an interest to enforce payment of wages to such employee under Chapter 558. Approved by the House of Delegates, June 15, 2015; expires end of 2017 Legislative session.

Internal Revenue Code 1031. The Real Property Section *opposes* federal legislative efforts to (a) repeal section 1031 of the Internal Revenue Code, and (b) limit the amount of capital gains which can be deferred in a section 1031 tax deferred exchange. Approved by the House of Delegates, September 21, 2015; expires September 21, 2018.

Standardized Residential Contract Form. The Real Property Section *opposes* SB756 and legislation regarding “An Act Requiring a State-Wide Standardized Contract Form for the Sale of Residential Real Property.” Approved by the House of Delegates, March 23, 2015; expires end of 2017 Legislative session.

Good Funds. The Real Property Section *supports* legislation to require lenders to deliver ‘good funds’ for real estate closings no later than the day scheduled for such real estate closings, which would be a reinstatement of 36a-758a, which was repealed in 2007 Approved by the House of Delegates, June 20, 2016; expires end of 2019 Legislative session.

Allowing Insurance Producers to Sell Title Insurance. The Real Property Section *opposes* any legislation which may be introduced which would have the effect of permitting non-attorneys to sell title insurance. Approved by the House of Delegates, September 21, 2015; expires end of 2018 Legislative session.

Prior Title Holders. Together with the Elder Law and Real Property Sections *support* legislation that prevents a previously recorded interest in property from losing its priority to an unrecorded or subsequently recorded claim or lien by the state against a person for repayment of state aid. Approved by the House of Delegates, June 20, 2016; expires end of 2018 Legislative session.

Green Bank Bill. The Real Property Section *opposes* Raised Bill S.B. 973 concerning the Green Bank as long as it contains a provision that the lien created in the bill is a super-priority and secret lien. Together with the Environmental Section, the CBA has crafted this into a position supporting the Bill, provided the lien created by it is akin to a judgment lien, whereby it is created upon recording and take subject to the interest of previously recorded encumbrances.

Outreach

The Chair, Matthew Cholewa, attended various regional bar association meetings in his two-year term, namely, the New Haven County Bar Association, Tolland County Bar Association, New London County Bar Association, the Bridgeport Bar Association, and the Fairfield County Bar Association.

The section held two meetings in Fairfield County this past year in an attempt to make the Section more visible in places other than Hartford and New Haven Counties. Both meetings were successful, and we anticipate the tradition to continue.

The section also met with representatives of the Connecticut Town Clerks’ Association in an effort to improve and standardize on-line searching capability in Connecticut.

The section is currently trying to work with the Connecticut Department of Revenue Services regarding its online Real Estate Conveyance Tax form, in an effort to protect clients’ non-public personal information, including social security numbers, and to improve the usability of the online form.

Social Committee

In November, 2016, the section continued its tradition of volunteerism for the New Haven chapter of Habitat for Humanity and spent a day building two homes in New Haven. Among the work done by the attorneys, they completed the sub-floor of the kitchen and entry way of one house. The volunteers also installed scaffolding, put up shingles, assisted in moving hundreds of pounds of equipment, and drove a backhoe. It was a successful build and a wonderful opportunity for the Section to give back to the community in which they practice. In the Spring, the section also held its first joint event with the New Haven Middlesex Association of Realtors, Inc. at the Stony Creek Brewery in Branford, Connecticut. The three hour event on a rainy April Wednesday was attended by over 120 people, as well as sponsors.

Section Bylaws

The bylaws of the CBA Real Property Section were last approved by the Board of Governors of the CBA in 2000 and a slight revision was made in 2006. It was felt that the bylaws needed further revision to reflect the changes in the way the section operates and the changing times. Substantive changes were voted on at the May 2016 meeting and additional revisions were made and approved at the September 2016 meeting.

Diversity and Inclusion

In 2016-2017, the Diversity Committee of the Real Estate Property Section drafted the section's diversity plan. This plan was passed by the section in February 2017. The chair of the Diversity Committee attended a Continuing Legal Education seminar called, "Diversity and Inclusion: How to be an Inclusive Leader." The committee also identified potential events to participate in during the 2017-2018.

The revisions to the section's bylaws also included adding a section stating the section's commitment to diversity and inclusion in its leadership and membership and the establishment of Diversity and Inclusion liaison. The section's officers for 217-2018 included two women, two men, and representation from three counties.

Scholarship Fund

The section made its annual \$1,500 award each to a law student at the University of Connecticut School of Law and the Quinnipiac University School of Law who has demonstrated exceptional academic excellence in the area of real property law. The recipients of this year's awards were invited to attend our May meeting to be recognized by the section for their achievements.

The section increased its contribution to the Connecticut Bar Association Real Property Section Memorial Prize Endowment Fund which is administered by the UConn School of Law Foundation by an additional \$1,000 in memory of Joanne Sensale, in an effort to get to a point where the fund generates sufficient income yearly to fund the award.

Model Contract

An on-going initiative has been the Model Residential Contract which was approved for use by the section on September 18, 2013. Despite the fact that the contract, as approved, was tabled by the CBA House of Delegates, the Model Contract Committee has continued and 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 a statewide contract. A current goal of the committee is to shorten the model contract, so as to increase its use.

Residential Specialization

The Residential Real Estate Specialization Committee has had a busy and active year, developing and administering a practice exam to be used to qualify residential real estate professionals for the status of a specialist in residential real estate. The practice exam is then approved by a statistician prior to its submission to the bar association and the Judicial Specialization Committee. Active since 2004, the committee is composed of established real estate practitioners who will administer the examination to ensure the most qualified specialists.

Technology & Website

The committee's work focused on keeping the website current and useful to the members of the section. We corrected inconsistencies in the references to the "group pages," and we posted recent minutes and a current schedule of meetings. We have made available materials from presentations to members of the section when the presenters could not distribute hard copies at meetings and when the materials would have ongoing value for future reference. The Website Committee is working with the Social Committee to publish photographs of section events. The committee needs to review the website for currency and remove outdated materials, and we can improve the organization and accessibility of group pages and "additional links."

Unauthorized Practice of Law

The UPL Committee of the Real Property Section has met throughout the year to discuss strategies for addressing the unauthorized practice of law in the context of real estate transactions in the State of Connecticut. In September of last year, we met with the CBA UPL Committee to discuss (among other things) recent antitrust decisions relevant to enforcement action, strategies in addressing violations, and the role of the Judicial Branch in commencing

enforcement action against violators. Throughout 2016, the RPS UPL Committee has focused on several areas to advance the RPS' interests in assuring effective enforcement of UPL regulations. These include (i) identifying areas of real estate practice where novel unauthorized practice issues are arising; (ii) identifying those actors and approaches that are best suited to addressing potential violations; (iii) evaluating potential legislative action that may enhance enforcement efforts; (iv) evaluating circumstances where direct legal action may be warranted by the RPS, the CBA and third parties in order to protect the public interest; and (v) representing RPS interests in any new state-level oversight that may be developed to address UPL issues in light of recent antitrust decisions. The UPL Committee looks forward to continuing in these efforts in the coming year, and to identify opportunities to improve UPL awareness and enforcement processes to better ensure the protection of the public.

SMALL FIRM PRACTICE MANAGEMENT SECTION

Shari-Lynn Cuomo Shore, Kristen Wolf, and John Zaccaro, Co-chairs

Purpose

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

Annual Report

We held section meetings on the following topics:

- August – Networking Happy Hour at Geronimo’s, New Haven
- September – Organizational meeting at Trinity, New Haven
- September – Executive Committee members presented at the CBA LegalTech/Law Practice Management Conference CLE
- November – Dinner meeting, “Cyberattacks: A Threat to Every Law Firm,” at Park Central Tavern, Hamden
- January – Dinner meeting, “Financial Metrics,” presented by Lake Financial Services at the Graduate Club, New Haven
- January-March – Co-sponsored the YLS Series Legal Entrepreneur (3 part series) at Quinnipiac University School of Law, North Haven
- April – “Lunch and Learn” Rainmaker Institute at the CBA office, New Britain
- June – Connecticut Legal Conference presentation, “Is It Time to Fly on Your Own? The Pleasures and Perils of Going Solo or Creating Your Own Small Firm”

WOMEN IN THE LAW SECTION

Jennifer E. Wheelock, Chair

Purpose

This section aims to monitor the progress and enhance the status and opportunities available to women in the legal profession; to provide women attorneys in Connecticut with an opportunity to share concerns, communicate and network with one another in a supportive forum; and to promote the participation of the Bar Association in substantive areas of law and legislation that present issues of particular concern to women in the profession and to those who seek legal services.

Annual Report

Executive Board

Chair: Jennifer Wheelock

Vice Chair: Kaitlyn Fydenkiewicz

Treasurer: Kelly Masi

Secretary: Brittany Rehmer

Legislative Liaison: Carmina Tessitore

Membership Liaison: Kaitlyn Fydenkiewicz

Diversity Liaison: Margaret Castinado

Publicity Liaison: Heather Spaide

Website Liaison: Marybeth Roy

Education Liaison: Deborah DelBarba

Executive Committee and Section Meetings

September 27, 2016: The Executive Committee and section members met at the CBA headquarters in New Britain to discuss community outreach projects, programming, and long term planning. We decided upon an agenda for the year and began planning for the subsequent meeting.

November 15, 2016: The Executive Committee and section members met at the Quinnipiac Club in New Haven for a joint meeting with the CBA's Family Law Section. We arranged for Judge Elaine Gordon speak to the sections about marketing. Her talk focused, in part, on particular challenges faced by female attorneys when it comes to marketing and how she dealt with and overcame those challenges.

January 24, 2017: The Executive Committee and section members met at the CBA headquarters in New Britain to discuss community outreach projects, programming, and long term planning. We discussed the upcoming Brown Bag Luncheon with Quinnipiac law students and the Pathways to Leadership Dinner and began planning for the same.

March 14, 2017: The Executive Committee and section members met at the CBA headquarters in New Britain to discuss community outreach projects, programming, and long term planning. In particular we discussed the upcoming Brown Bag Luncheon with UConn law students, the Pathways to Leadership Dinner and the May 2017 golf outing and planned for the same.

May 23, 2017: The Executive Committee and section members met at the CBA headquarters in New Britain. The meeting consisted of reviewing the years' activities and finalizing leadership and liaison roles for the section's 2017-2018 bar year.

Section Activities

March 23, 2017 - Pathways to Leadership Dinner: Annually this section hosts, in association with the Young Lawyers Section (YLS), a dinner celebrating the many advances made on behalf of women in the legal profession over the years in Connecticut. Same was held at the Middletown Inn in Middletown on March 23, 2017 featuring keynote speaker Susan Schmeiser, UConn Law School Professor. This year the Young Lawyers Section co-chairs selected The Honorable Maria A. Kahn as the Ladder Award recipient. The dinner also acknowledged the 11 law firms to date that have signed the CBA Best Practices for Gender Equity Pledge and provided copies of the pledge to all attendees. The evening was a success.

March 29, 2017 – Brown Bag Luncheon at Quinnipiac School of Law: Several members of the section had an informal lunch with a group of Quinnipiac law students. There was an open discussion on a variety of topics including networking, job hunting, work/life balance, etc.

April 27, 2017 – Brown Bag Luncheon at UConn Law School: Several members of the section had an informal lunch with a group of UConn law students. There was an open discussion on a variety of topics including networking, job hunting, work/life balance, etc.

May 9, 2017 - Women's Professional Golf Event: This event was co-sponsored with the Women in the Law Committee of the Young Lawyers Section and the Sports & Entertainment Law Section. The event was held at the Golf Center at Lyman Orchards. This was an all-day event that included a golf clinic and instructions, a *Rules, Etiquette & Women's Program* presentation by Marissa Kulig, lunch, a presentation by Pat Meiser of Meiser Sports Consulting, 9 hole golf game and post-play reception, and a presentation by Melanie Dykas. The event was a success.

Seminars/CLE to date

November 15, 2016: The Executive Committee and section members met at the Quinnipiack Club in New Haven for a joint meeting with the CBA's Family Law Section. We arranged for Judge Elaine Gordon to speak to the sections about marketing. Her talk focused, in part, on particular challenges faced by female attorneys when it comes to marketing and how she dealt with and overcame those challenges.

Section Leadership Roster for the 2017/2018 Bar Year

Chair: Jennifer Wheelock

Vice Chair: Brittany Rehmer

Treasurer: Kelly Masi

Secretary: Patricia Carreiro

Legislative Liaison: Carmina Tessitore

Membership Liaison: Aza Gray

Diversity Liaison: Alex Simonetti

Publicity Liaison: Tamar Bakhbava

Website Liaison: Alexa Millinger

Education Liaison: Deborah DelBarba

WORKERS' COMPENSATION SECTION

Joseph J. Passaretti, Jr., Chair

Purpose

Our section represents one of the most motivated and active in the entire bar association. In the selection of our up to 35 members on the Executive Committee, we attempt to balance the presence with attorneys representing both the injured worker (claimant) and employers/insurance carriers (respondent). In addition, the section recognizes "Emeritus" members as those that have either completed a term as chair/immediate past chair and/or have spent 20 or more years on the Executive Committee. Emeritus members have voting rights as well. We are proud to be the only current section to offer members the opportunity to 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, guided by our CLE Committee, ensures that the highest level of CLE programming is available for section members and specialists throughout the bar year. Additionally, with the advent of minimum CLE requirements for all attorneys in Connecticut, our section has added a new special purpose that comes as an added bonus to membership – we will prepare *at least* enough CLE opportunities within our section so that all MCLE requirements will be fulfilled by simply attending all Workers' Compensation Section events, activities and/or programs.

Annual Report

The 2016-17 bar year started out with a couple of summer meetings with officers Joseph Passaretti (chair), Francis "Bud" Drapeau (vice chair), Colette Griffin (treasurer), and Jill Morrissey (dsecretary). We mapped out what we hoped would be a year of CLE excellence, but fiscal conservatism, as we were committed likewise to address a budget deficit that pervaded our section since the prior administration.

Continuing Legal Education Committee

With Vice-Chair Bud Drapeau at the helm of our CLE/Education Committee, we have put on several exciting and dynamic programs, with still more to come. In October 2016, we started off the year with, "Courtroom Medicine," a full day seminar which took place on site in St. Mary's Hospital in Waterbury and featured one of the most impressive collection of workers' compensation-focused physicians that has ever gathered for one single CLE event. Our attendance was overwhelming and indeed, record-setting, and the feedback was off the charts.

On March 5-7 we had our annual Workers' Compensation Retreat in Stowe, Vermont. Once again, a record-setting gathering of attendees came together for a long weekend of fun, fellowship, and an in-depth look at the effective management of, defense of, and complexities associated with the permanent total disability claim in workers' compensation. We were also privileged to have Commissioners Ernie Walker and Daniel Dilzer, as well as former Commissioner Amado Vargas, to lend their unique perspectives to these issues, as well as engage us in some compelling ethical questions and exercises.

Our Workers' Compensation Retreat for 2018 is already planned and will take place in Marcos Island, Florida from January 20-23. An exciting and thought-provoking program focused on medical complexities is already in development.

On April 28, 2016, we presented a 4.0 credit course entitled, "Ethical Issues Facing a Workers' Compensation Practitioner," a multi-disciplinary approach to identifying and tackling some unique issues associated with ethical dilemmas and complexities facing the WC practitioner. More than 90 attendees participated in this hands-on analysis of many controversial issues from presenters who included representatives from the attorney general's office, the Office of Attorney Discipline, and many experts on both the claimant and respondent side of these issues.

On June 1 we intend to present two CLE programs as our year culminates with the Connecticut Legal Conference. Session 1 will be targeted to younger attorneys in the field, though with application to all practitioners, and will focus on the techniques and tactics associated with the many mathematical complexities, formulae, and issues facing the workers' compensation practitioner. Session 2 will feature our comprehensive annual "State of the State" of workers' compensation which will see reports from Chairman Mastropietro, our Legislative Liaison Lucas Strunk, and our judicial decision guru, Jack Clarkson, bringing us a comprehensive overview of the political, legislative, and judicial developments, and a targeted analysis of each, over the past year.

Compensation Quarterly

Editor-in-Chief Attorney Frank Costello continues to produce an incredible resource with focused articles and content along with the assistance from the editorial board. The *Compensation Quarterly* is, in the words of Robert Enright, "The Crown Jewel" of our section, and one of the bar's finest ongoing publications. CQ continues to deal with cutting edge issues, secure dynamic and engaging authors, and keep our section up to date with the latest in CRB, appellate and supreme court action that affects our day to day practice. This year saw the Editorial Board's continued dynamic approach to delivering controversial, thought-provoking and enlightening information and opinion from the universe of workers' compensation law.

Charitable Efforts

Attorney Rick Aiken and his Charitable Golf Outing Committee ran had another beautiful day and successful charitable effort at the 18th Annual Verrilli/Belkin Golf Tournament at the Shuttle Meadow Country Club. This year, 121 golfers participated. A total of \$10,646.82 in proceeds were generated and later split between the two charities, FoodShare and Connecticut Food Bank. 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. Attorney Ralph Russo, chair of the Charitable Efforts Committee, has continued Attorney Chris Setaro's long term vision to enable the section to continue its efforts to contribute to the community for years to come. Ralph and his team have met twice this year and are putting into place several charitable initiatives that will take form in the early Fall of 2017, when a fundraising event at the Gouveia Vineyards in Wallingford is planned. Most notably, Ralph and I have partnered with the Trustees of The Matthew Shafner Memorial Scholarship for the Children of Injured Workers, in an effort to keep this valuable program funded and thriving.

Medical/Legal Cooperative

The committee continues as a core group of attorneys, led by incoming Vice-Chair Colette Griffin, meet with individual medical practices to address the guidelines that physicians are called upon to follow and the case law that governs. Many physicians commented that they came away with a better understanding of how the workers' compensation system worked and how the presentation would give them a better dialogue with their patients suffering from work related injuries. These meetings also facilitated physician and staff interaction with workers' compensation carriers, adjusters, and third party administrators. The efforts of this group have furthered a spirit of cooperation between attorney and physician within the system.

Board Certified Specialists

Calendar 2017 saw the introduction of two new board certified specialists to our ranks, which now stands at 57. Attorneys Colin Mahon and Robert Brennan satisfied the rigorous requirements and pre-conditions and ultimately sat for and passed the 2016 Board Certification Exam, and we welcomed them to our ranks at an Executive Committee Meeting in November. Special recognition should be continuously given to Standing Committee on Specialization (Brian Smith, Chair) and our Examining Committee (Diane Duhamel, Chair) on all they have done so far, and all they do to make the board certification process and program a continued success. Another examination is planned for May 2018, and the work in preparation for that has already begun.

Technology Committee

Our Tech Committee has made tremendous progress this year moving our section into the 21st century by vastly improving our website, and, most notably, fulfilling a long-standing vision of getting all issues of *Compensation Quarterly* digitized and in searchable format.

I am proud to point out as well, that in keeping with the CBA's diversity initiatives, that our Executive Committee roster reflects not only the best and brightest in our Bar today, but reflect the diversity of origin and gender the CBA is seeking to achieve. I am pleased with our progress thus far, and look passionately forward as great things are still yet to come.

In a few short weeks, I will end my tenure as chair of the section. I think we have done great things, advanced and promoted the section, and more than anything else, continued to build upon our two greatest pillars – Congeniality and Academic Excellence. I have no doubt we will continue in that great tradition with our new leadership team now installed and already actively planning our next year's events. That team will consist of:

Francis "Bud" Drapeau, Chair

Colette Griffin, Vice Chair

Robert Bystrowski, Treasurer

Jill Morrissey, Secretary

(and I'll be sticking around to cause a little trouble as Immediate Past Chair)

It has been my greatest honor and pleasure serving the Section and partnering with the CBA to advance my chosen field in a way that can make us all stand proudly and in unity.

COMMITTEE REPORTS

AWARDS COMMITTEE

Moy Ogilvie and William Prout, Jr., Co-chairs

Purpose

The 2016-2017 Awards Committee was initially constituted by the CBA in July, 2016. Consistent with CBA goals of inclusiveness and diversity, the Committee roster included 17 members from throughout the state, each of whom actively participated in the work of the Committee. A list of Committee members is attached.

Annual Report

All CBA members received calls for nominations advising them that nominations would remain open through November 2, 2016 and urging them to submit nominations for each of the Awards within the Committee's jurisdiction:

- Citizen for the Law Award
- Citizen of the Law Award
- Charles J. Parker Legal Services Award
- Distinguished Public Service Award
- Henry J. Naruk Judiciary Award
- John Eldred Shields Distinguished Professional Service Award
- Tapping Reeve Legal Educator Award

During the nominations period, the committee met by conference call on various occasions to (1) review the criteria for each award; (2) review the lists of award recipients from prior years; (3) identify organizations and individuals to contact directly urging nominations; (4) appoint individual "precinct captains" to lead committee discussions as to each award; and (5) address other issues. All nominations and related documentation provided to the committee, from whatever source, during this period – and thereafter – was shared with each member of the committee. An impressive group of potential recipients was compiled for each award. This year, the committee received many nominations from the CBA membership at large. Consistent with past practices, the committee itself also recommended nominees for consideration.

Once the nominations period closed, the committee continued to meet by conference call, but ultimately met in person on two occasions to reach agreement on its final slate of proposed award recipients, which slate was submitted to the CBA Executive Committee on January 9, 2017. That slate was thereafter recommended by the Executive Committee to the Board of Governors, and approved by the Board on January 17, 2017. On April 13, 2017 the following distinguished recipients were presented with their awards by President Frank and President-elect DeMeola at the CBA's "Celebrate with the Stars" reception:

- Citizen for the Law Award – Anne Stanback
- Citizen of the Law Award – Peter Arakas
- Charles J. Parker Legal Services Award – Shelley White
- Distinguished Public Service Award – E. Patricia Llodra
- Henry J. Naruk Judiciary Award – Justice Richard A. Robinson
- John Eldred Shields Distinguished Professional Service Award – Dwight Merriam
- Tapping Reeve Legal Educator Award – Sudha Setty

2016-2017 CBA AWARDS COMMITTEE

- Nike Agman – Law Office of Nike V. Agman
- William Aseltyne – Yale New Haven Health System
- Maggie Castinado – Office of the Chief Public Defender/CHBA President
- Eric Daniels – Robinson & Cole LLP
- Karem Friedman - Boehringer Ingelheim/CHBA Past President
- Patricia Kaplan – retired formerly with New Haven Legal Assistance
- Najia Khalid – Wiggin and Dana LLP/SABAC Board Member
- John Logan – Logan & Mencuccini UC
- Kirk Lowry – Connecticut Legal Rights Project, Inc.
- Ernie Mattei – Day Pitney LLP
- Moy Ogilvie – McCarter & English LLP
- Cherie Phoenix – City of New Haven Office of Corporation Counsel
- William Prout, Jr.– Wiggin and Dana LLP
- Ann Rubin – Carmody Torrance Sandak & Hennessey LLP
- Alix Simonetti –Connecticut Commission on Human Rights and Opportunities
- Elizabeth Stewart - Murtha Cullina LLP
- Cecil Thomas – Greater Hartford Legal Aid/SABAC Board Member

CONNECTICUT BAR JOURNAL BOARD OF EDITORS

Sarah E. Murray, 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 Standing Committee on Professional Ethics and the Unauthorized Practice of Law Committee in the 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.

The board is committed to serving the interests of CBA members and remaining relevant in the quickly changing legal landscape of the times. The following is a summary of the steps the journal has taken to further these goals:

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 it as a digital publication. The digital version has been sent as an e-mail attachment to the membership. It 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. It 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 renewed their membership, they selected a box on their membership renewal form to opt-in for a print copy. Starting with Number 3, only members who opted-in for the print version received a printed copy; others received a digital version. The above choice has continued since the 2012-2013 bar year and is expected to continue into future years.

2013-2014 Bar Year

Building upon the success of the digital version of the publication, the board discussed and agreed to implement a new way of delivering the journal to members. As articles are completed, they are posted to the *CBJ* page. When enough articles are received and edited, a full traditional issue is assembled. The objective of the proposal was to deliver articles in the journal to members more quickly without sacrificing the scholarly quality for which the it is known. The board implemented this new delivery in 2014 and it has continued into 2017. The articles have been edited as all other articles, so quality has not been negatively impacted. There has been no extra cost to the CBA. The articles have also been announced by way of the *Weekly Docket* with a link to the article on the *CBJ* page.

Connecticut Bar Journal Survey

In prior years, the board has received and reviewed the results of a CBA survey regarding the journal. The purpose was to hear from CBA members about what has been going well and what the journal could do to meet the evolving needs and expectations of members. The board also sent representatives to an executive meeting of the CBA YLS with the hope of hearing ideas from newer members of the bar. Although the feedback was positive, the board also elicited feedback that it would benefit the Journal and CBA membership to add some new members. To

that end, five new members were added in 2014-2015, of which four were newer members of the bar and/or members of the YLS.

2016-2017 Bar Year

The Board of Editors published three issues of the *Connecticut Bar Journal* and another issue is to be published shortly. The board held one meeting in January 2017, in which a new Editor-in-Chief who is a “newer” member of the bar was elected, and has another meeting scheduled for June 2017. The board has continued with the above initiatives and has on its agenda for its June 2017 meeting a discussion as to how best it can implement the CBA’s diversity and inclusion policies.

The board looks forward to continuing to serve the interests of CBA members.

FAIR AND IMPARTIAL COURTS COMMITTEE

Nuala Droney and James T. Shearin, Co-chairs

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 re-appointment or the appointment process (for our sitting judges nominated to the Appellate or Supreme Court).

Annual Report

The committee conferred this past year on a periodic basis, together, and with members of the Judiciary, to discuss the committee's business. We tracked legislation and other political actions by the governor and general assembly to determine whether action was necessary by the committee to support the Judicial Branch. We also investigated and addressed issues relating to the judicial re-appointment 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 was not asked to consider any candidates this past year.

INSURANCE PROGRAMS FOR THE BAR COMMITTEE

Jennifer Cavalier-Mozzer and Anthony Nuzzo, Co-chairs

Purpose

The Insurance Programs for the Bar Committee is an advisory committee which is responsible for reviewing insurance products for the benefit of the members of the CBA. Included within these insurance products are professional liability, retirement, health, and disability.

Annual Report

We continued to work collaboratively with the CBA, and the endorsed agents for both professional malpractice and retirement benefits in an effort to help members choose quality benefits for themselves and employees.

Additionally, we secured a shorter-term contract with the agent for the Retirement Funds Program which has more focused objectives toward marketing of the vast array of benefits offered.

We are about to endorse an agency to provide medical insurance and other related benefits along with providing education on the products, compliance services with state and federal requirements, and acting as an advocate for our members.

Also, we plan to gather statistics and improve our website to make it easier for members and prospective members to access these benefits.

LEGISLATIVE POLICY AND REVIEW COMMITTEE

Jonathan M. Shapiro, Chair

Purpose

The Legislative Policy and Review Committee (the “LPRC”) reviews proposals from the CBA, its sections and committees concerning legislation, including Administrative Regulations and Judicial Rulemaking—and makes recommendations to the governing bodies of the CBA whether such proposals or positions should be authorized. The LPRC conducts a thorough analysis of the requested authorization, the underlying legislative or regulatory issue, the impact on the bar and on Connecticut law and whether the requested authorization is consistent with any other position of the CBA, its sections or committees.

The LPRC is appointed annually by the CBA president and consists of at least nine members of the CBA (exclusive of the chair), at least two-thirds of whom shall be members or former members of the House of Delegates, Executive Committee, or the Board of Governors. This year’s members were Howard Schiller, James T. Shearin, Kara Murphy, Sylvia Rutkowska, Vincent Pace, Suzanne Caron, James Craven, M. Anne Peters, Margaret Castinado, Jason Fragoso, Courtney Chaplin, and Erick Russell. The chair of the LPRC was Jonathan Shapiro, Vice President of the CBA.

Annual Report

Throughout this year, the LPRC met regularly by telephone conference throughout the legislative session from January through mid-May. Meetings were generally held on Fridays, but the LPRC met as needed when sections or committees needed action for a bill that was moving fast through the legislature or scheduled for public hearings. All members of the LPRC were provided with copies of the proposed legislation and an analysis and overview of the proposed section position. Section leadership and legislative liaison participated in calls to advance their positions and answer questions raised by the LPRC.

The CBA’s sections and committees monitor all bills that are submitted to the general assembly. At the time of this report, the Connecticut legislature is still in session and additional position requests may be made by CBA sections and committees. However, as of the date of this report, the LPRC authorized 25 section positions in a variety of areas. Included among the authorizations were (i) an association position to support legislation to increase penalties for threatening judges when the threat is related to the victim's official duties; (ii) supporting legislation seeking to eliminate the Connecticut Gift Tax; (iii) supporting legislation to adjust the Connecticut estate tax to match the federal estate tax exemption; and (iv) supporting legislation to prohibit conversion therapy.

In addition to its positions before the Connecticut legislature, the LPRC also approved and advanced an association resolution submitted to the ABA concerning refugees, asylum seekers, torture victims and other deserving of humanitarian refuge. The ABA adopted the resolution reaffirming the ABA’s support for the establishment of laws, policies, and practices that ensure access to legal protection for refugees, asylum seekers, torture victims, and others deserving of humanitarian refuge (“Protection Seekers”). The resolution further urged congress to adopt legislation and to appropriate funding for refugee applications and processing.

The LPRC provides constant support for the CBA, which remains active at the capitol, and continues to expand the influence of the CBA.

PRO BONO COMMITTEE

Karen DeMeola, Chair

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 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.

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 CBA. Members practice in a broad spectrum of firms from Connecticut's largest firms to solo practitioners. A diverse array of members are from various agencies providing life changing legal services to our most needy residents.

There are several pro bono committees throughout the state including; the CBA pro bono committee, the judicial branch Pro Bono Committee, the judicial branch Access to Justice Commission, and the CBF Colloquium. In addition, the legal services organizations have their own networks and engagement around pro bono service. There is overlap and synergy between all of the organizations. Several members of the Pro Bono Committee are also members of the CBF Colloquium committee and the judicial branch's committees and lend value to the greater statewide conversation.

This year, the Pro Bono Committee continued to examining ways by which CBA members can more easily access pro bono opportunities. Currently the main source by which attorneys find pro bono opportunities is through CTLawHelp.org. The CtLawHelp Pro Bono Portal was designed to inspire attorneys to engage in pro bono service, provide attorneys opportunities for pro bono service, and provide access to resources for the general public. Members of the House and the Board expressed some concern about the difficulty in getting clear guidance about what kind of opportunities are available. The committee took up this task and discussed the importance of having one go-to source for pro bono service open to all Connecticut attorneys, the inefficiency of duplicating efforts and the need for a more user friendly approach. With the new iteration of the CBA website, pro bono will have a greater web presence which will make it easier for our members to find opportunities for pro bono work.

This year Statewide Legal Services partnered with the American Bar Association and 35+ other states to administer a virtual, online-based legal advice clinic for low-income residents in each state. "CT Justice Online Anytime" – the ABA's National Pro Bono Initiative to bridge the access to justice gap in the United States launched a beta version in August 2016. Connecticut's program is set up like a virtual legal clinic allowing lawyers to sign onto the website at any time to provide brief, limited scope advice and counsel in a meaningful way. The Pro Bono Committee supported this initiative and examined other online resources to make it easier for attorneys to participate in pro bono services.

Two key events impacted the committee this year; the presidential election and the publication of the report from the Task Force to Improve Access to Legal Counsel in Civil Matters (Taskforce). The Taskforce report was released in December 2016, and as we began to digest the report and think about the ways in which the committee can play a role in the implementation, members of the committee were faced with new challenges. Post-election and

certainly post Executive Orders, most of the legal services providers experienced an uptick in inquiries regarding immigration, benefits and hate crimes. Committee members worked tirelessly to provide free legal services and training opportunities for attorneys and the public.

Pro Bono Committee members continue to attend professional ethics classes at Quinnipiac University School of Law and Western New England University School of Law as well as a pro bono summit at UConn School of Law.

The committee remained involved in the legislative process supporting the following:

- House Bill 5636, An Act Prohibiting the Disclosure of the Residential Addresses of Certain Attorneys
- Senate Bill 364, An Act Concerning Access to Legal Counsel for Indigent Individuals in Certain Civil Matters Involving Allegations of Abuse
- Senate Bill 496, An Act Implementing the Recommendations of the Task Force to Improve Access to Legal Counsel in Civil Matters
- Support for the Diversity Committee's Refugee Crisis resolution, which was adopted by the American Bar Association (ABA) at the ABA midyear Meeting as ABA Resolution 10B

Moving forward, the committee will continue to provide support legislatively, will continue to advocate for and provide resources for those seeking to provide pro bono services. At a time when statewide cuts have impacted social services, legal services and judicial resources, our committee can play a crucial role in ensuring access to justice.

PROFESSIONALISM COMMITTEE

Timothy A. Diemand and Judge Kenneth Shluger, Co-chairs

Purpose

The mission of the Connecticut Bar Association Standing Committee on Professionalism is to enhance the level of professionalism among lawyers and judges and to promote their commitment to the *Lawyer's Principles of Professionalism* (adopted by the CBA 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
4. Identifying, evaluating and reporting on trends and developments affecting lawyer professionalism and proposing and implementing programs to address them.

Annual Report

The committee engaged in the following activities during the past bar year in an attempt to implement those objectives.

Bench/Bar Professionalism Symposium 2016

The signature event of the committee has been its professional symposium, which it presents in partnership with a local bar association every year in a different judicial district.

In November 3, 2016, the committee held the symposium in the Stamford Superior Court house. This was a wonderful program with many judges and lawyers devoting significant time to make the program a huge success. Attached and incorporated into this report is a copy of the event program, and the Committee wishes to thank all of the panelists and speakers.

Plans are already underway to stage the next Symposium on November 3, 2017 at the Litchfield judicial District Courthouse in Torrington.

Minimum Continuing Legal Education

After more than a decade assisting with this initiative, the Superior Court Rules Committee adopted a MCLE rule on January 11, 2016. The rule, which requires no funding from the judicial branch or from the organized bar and is designed to minimize the burden on attorneys, went to a public hearing in May 2016 and was then considered and approved at the annual meeting of the Superior Court judges on June 24, 2016. MCLE was codified pursuant to Practice Book section 2-27A.

Edward F. Hennessey Professionalism Award

Since its inception, the committee has recognized a member of the bar of Connecticut for conducting his or her career with the highest standards of professionalism and civility. The committee unanimously and enthusiastically nominated Lou Pepe as the recipient of this award. The decision was approved by the Board of Governors, and Attorney Pepe was honored at the Connecticut Bar Association's Celebrate with the Stars awards dinner on April 13, 2017.

Mentoring Program

The statewide mentoring program continues to match experienced attorneys with newly admitted lawyers primarily in the Hartford and New Haven areas. Mentors are recruited from the local bar associations and mentees are

identified through the Young Lawyers Section of the Connecticut Bar Association, at the biannual swearing-in ceremonies of newly admitted lawyers and through the CBA website.

Joint Ethics Seminar with Professionalism Committee and Professional Discipline Section – January 25, 2017

With the advent of MCLE, the Professionalism Committee collaborated with the Professional Discipline Section to host a seminar on ethics as they apply to practical scenarios. Judge Kenneth Shluger moderated a lively panel, which consisted of New Haven attorney Pat King, Hartford attorney Jamie Sullivan and Orange attorney Suzanne Sutton. The event was oversubscribed and a January 2018 date has already been selected.

The committee co-chairs would like to take this opportunity to thank the committee members for their ongoing work to enhance professionalism and for the full support of that the committee has always received from the judicial branch.

THE UNAUTHORIZED PRACTICE OF LAW COMMITTEE

Burt Cohen, Chair

Purpose

The Unauthorized Practice of Law Committee (UPL Committee) receives inquiries and complaints regarding various UPL issues from admitted Connecticut attorneys, attorneys admitted in other jurisdictions, and from time to time, members of the public. Appropriate complaints are referred to the Office of the Chief Disciplinary Counsel and inquiries are responded to.

Annual Report

The UPL Committee met twice during the past year, both meetings occurred at Quinnipiac University School of Law. At the first meeting, Chief State's Attorney Kevin Kane spoke with the about his office's willingness to prosecute cases involving violations of Section 51-88 of the General Statutes. At the second meeting, Attorney Robert Langer joined us for a discussion about recent judicial and administrative decisions following the 2015 U.S. Supreme Court decision in *North Carolina State Board of Dental Examiners v. FTC*.

Throughout the year, the UPL Committee responded to inquiries from both Connecticut and non-Connecticut lawyers, although no opinions were issued. It also followed developments in the implementation of the amendment to Rule 2-16, of the Rules of Practice, effective January 1, 2017, which permits *pro hac vice* admission for non-admitted attorneys to represent Connecticut clients in proceeding before Connecticut state and municipal agencies, boards and commissions. The new rule permits *pro hac vice* admission on the same terms and conditions as *pro hac vice* admission in superior court proceedings.

The UPL Committee refers complaints and inquiries that involve UPL issues to the Office of Chief Disciplinary Counsel for review, investigation, and enforcement when appropriate. Some of the inquiries received by the committee during this bar year involved unadmitted attorneys and paralegals representing Connecticut clients on real estate transactions and issues concerning representation and counseling of Connecticut clients on Medicaid matters.