



2022-2023  
Annual Report of  
Sections and Committee



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# Connecticut Bar Association Officers 2022-2023



**President**  
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**President-elect**  
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**Secretary**  
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**Treasurer**  
Sharad A. Samy



**Assistant Secretary-Treasurer**  
Joshua J. Devine

# CBA Board of Governors

## 2022-2023

District	Name	City	Term Expires
1	Lorenzo Agnoloni	Greenwich	2023
2	Stephen J. Conover	Stamford	2024
3	Sarah Murray	Westport	2023
4	Rute Mendes Caetano	Danbury	2024
5	James O. Gaston	Bridgeport	2023
6	Noah J. Kores	Torrington	2024
7	Jason Gagnon	Waterbury	2023
8	Jonathan Weiner	West Hartford	2024
9	Sung-Ho Hwang	New Haven	2023
10	William F. Dezinno	Meriden	2024
11	Patrick J. Cooney	Bristol	2023
12	Emily Gianquinto	Hartford	2024
13	Sylvia K. Rutkowska	Middletown	2023
14	Francis Drapeau	Rockville	2024
15	Bet Gailor	Willimantic	2023
16	Kristi D. Kelly	New London	2024
17	Matthew Cholewa	Wethersfield	2023

# CBA House of Delegates

## 2022-2023

District	Name	City	Term Expires
1	Erin Flynn	Greenwich	2023
2	Diana Carlino	Stamford	2023
2	Stephen J. Conover	Stamford	2023
2	Scott M. Harrington	Stamford	2025
3	Lucas Hernandez	Westport	2023
3	Sarah Murray	Westport	2024
4	John Bowser	Danbury	2025
5	James O. Gaston	Bridgeport	2023
5	Christopher Blau	Bridgeport	2024
5	Johnpatrick C. O'Brien	Bridgeport	2025

# CBA House of Delegates Cont.

## 2022-2023

District	Name	City	Term Expires
5	Kyle LaBuff	Rocky Hill	2025
6	Noah J. Kores	Torrington	2023
7	Connor McNamara	Waterbury	2024
7	Anthony Minchella	Middlebury	2023
8	Jonathan Weiner	West Hartford	2024
8	Scott Schwefel	West Hartford	2024
8	Anthony Ciolli	West Hartford	2024
9	James O. Craven	New Haven	2025
9	Joshua Goodbaum	New Haven	2024
9	Jesse Langer	East Haven	2023
9	Vincent M. Marino	Orange	2025
9	Brendan Nelligan	New Haven	2023
9	Albert J. Oneto IV	Hamden	2024
9	Leonard Rodriguez	Orange	2024
10	Samim Jabarkhail	Cheshire	2025
10	William F. Dezinno	Meriden	2024
11	Patrick J. Cooney	Bristol	2023
11	Vincent Pace	Berlin	2025
11	Jeffrey A. Zyjeski	New Britain	2025
12	Jamey Bell	Hartford	2024
12	Jennifer S. Das	Hartford	2024
12	Melanie Dykas	Hartford	2024
12	Emily Gianquinto	Hartford	2024
12	Claire Howard	Hartford	2024
12	Dana Hrelac	Hartford	2025
12	Kenneth B. Lerman	Hartford	2023
12	Houston Putnam Lowry	Hartford	2023
12	Carolyn Signorelli	Hartford	2024
13	Kirk W. Lowry	Middletown	2023
14	Christopher Bowen	Vernon	2023
15	Ashley Daley	Willimantic	2025
16	Emily Casey	New London	2025
16	Eric Garofano	New London	2025
17	Janis Malec	Rocky Hill	2023
17	Lisa Lugauskas	Hartford	2025
17	Maria Tougas	Manchester	2025

# House of Delegates

## Section Representatives (2022-2023)

Section	Name	City	Term Expires
Appellate Advocacy Section	Danielle Edwards	Stamford	2025
Commercial Law & Bankruptcy Section	Taruna Garg	Stamford	2023
Elder Law	Cynthia D. Cartier	Guilford	2025
Veterans & Military Affairs Section	Emily D. Trudeau	Hartford	2024
Workers Compensation Section	Jason Matthews	Cheshire	2024

# House of Delegates Affinity

## Bar Representatives (2022-2023)

Association	Name	City	Term Expires
Connecticut Asian Pacific American Bar Association	Quyên Trương	Washington, DC	2024
Connecticut Hispanic Bar Association	Steven Hernández	Hartford	2023
Connecticut Italian American Bar Association	Francesco C. Mioli	Stamford	2025
George W. Crawford Black Bar Association	Komla Matrevi	Hartford	2024
South Asian Bar Association of Connecticut	Nandita Ruchandani	Fairfield	2024

# Administrative Law Section

The purpose of the Administrative Law Section is to provide a forum on current administrative law issues. The section concentrates primarily on the Connecticut Administrative Procedures Act and the practices of the various agencies governed by the Act.

## **Section Officers**

**Chair:** Jeffrey A. Zyjeski

## **Specific Goals of the Year**

A specific goal of the section this year was to communicate with members regarding continued remote administrative hearings post Covid-19.

## **Meetings**

- Unfortunately, no meetings were held this year.

## **Efforts to Improve**

- The Section continues efforts to fill out its Executive Committee.
- The Section commits to meeting more often in upcoming years.

## **Future of Section**

- The Section hopes to offer legislation to the LPRC regarding a State Office of Administrative Appeals in the 2024 legislative session.
- The Section is hoping to become more active in 2024.



# Alternative Dispute Resolution Section

The purpose of the Alternative Dispute Resolution Section to increase the awareness of 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 others, improve the quality of ADR services, and encourage members of the bar to serve as neutrals in various ADR settings.

## **Section Officers**

**Chair:** Christopher Kriesen

## **Programs**

- We had an in-person program on June 1, 2022 at the Graduate Club in New Haven.
- We had a CLE for the CBA annual meeting in June, 2022
- We had a section seminar planned for September, 2022 with Audrey Lee of Boston Law Collaborative.
- We are having an ADR section meeting on May 25, 2023 at the Graduate Club in New Haven
- We gave a substantial scholarship to a Quinnipiac Mediation student.

## **Section Communications**

- By email blast.

## **Thoughts on the Future**

- We plan to increase our membership diversity and get the Uniform Mediation Act made law.

## **Treasury**

- To be supplemented

# Animal Law Section

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

## Section Officers

**Chair:** Cassandra Dulepski

## Meetings

- Monthly or bimonthly section meetings have been held via Zoom.

## Executive Committee Meetings

- Executive meetings have been held throughout the year.

## CLE

- Wildlife Trafficking: What Lawyers Can Do to Prevent & Punish the Illegal Animal Market with Michael Harris & Shennie Patel on 9/20/2022
- Connecting the Dots Between Animal Abuse and Violence with Phil Arkow & Diana Urban on 10/18/2022
- Elephant Conservation Policy & Minnie the Elephant with Professor Rutberg from Tufts University and Elizabeth Stein Posner from the Nonhuman Rights Project on 10/27/2022
- CT Legal Conference 2023: *Speaking Up for the Voiceless - Advocacy & Guardians Ad Litem* (Seminar C06 2:30 pm – 4:30 pm)

## Publications

- The first issue of the Animal Law Section Newsletter was distributed in May of 2022 and has been published every month September – May since.
- Animal Law Referral Directory
- FAQ sheet for breeding/foster/adoption contracts

### **Legislative Efforts**

- The section has followed pending legislation concerning animals and has forwarded information to the members accordingly. The section actively participated in legislative efforts.
- We also had Melissa Biggs speak to our Section on 4/11/23 about the Legislative Process and relevant bills.

### **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.
- We also ran a supply drive for the CT Humane Society in November/December.

### **Other Programs and Events**

- Fall Happy Hour at THC in Derby 11/11/2022
- *Animal Activism: Open Rescue and the Smithfield Farms Trial* with Wayne Hsiung as part of a larger series 1/26/2023
- An Introduction to the High Hopes Therapeutic Riding Center 2/28/2023
- Spring Happy Hour is coming up 6/1/2023

### **Future Events**

- *Bees & Pollinators in the midst of Climate Change* with Mark Creighton, Kimberly Stoner, and Laura Saucier – May 16, 2023 at 5:00pm via Zoom
- *Animals & Estate Planning* with Erin Norton – May 25, 2023, at 5:00pm via Zoom
- Dept. of Ag and DEEP presentation – Our very own Carole Briggs will be presenting along with DEEP's Rachael Guadio
- Attorneys arguing *National Pork Producers v Ross* before SCOTUS will be discussing the case in a CLE in the late fall
- 2nd speaker in series on *Ag Gag Laws*
- *Right Whales v. Lobsters* presentation
- We will continue holding monthly section meetings in the fall and will schedule another pet hike and happy hour for social outings.
- We will also be in touch with local shelters to see if we can do another supply drive or fundraiser.

# Antitrust and Trade Regulation Section

The Antitrust and Trade Regulation Section aims to familiarize CBA members, and more particularly Section members, with all aspects of state and federal antitrust and trade regulation law and practice.

## Section Officers

**Chair:** Robert M. Langer

**Treasurer:** Craig Raabe of IZard Kindall & Raabe LLP

**Secretary:** Peter A. Barile III of Lowey Dannenberg PC

Attorney Langer and Attorney Barile will continue to serve in their respective capacities during the 2023-2024 year. Benjamin H. Diessel of Wiggin and Dana LLP will serve as Treasurer during the 2023-2024 year.

## Meetings and CLEs

- Monthly or bimonthly section meetings have been held via Zoom.

## Executive Committee Meetings

- **September 29, 2022**

The Section's first program of the bar year was "Reflections on the Current State of Antitrust Enforcement at the U.S. DOJ Antitrust Division and the FTC." Former Assistant Attorney General of the United States Department of Justice, Antitrust Division, Makan Delrahim, Latham & Watkins, LLP, Washington, DC, presented on antitrust enforcement developments, sharing his views on the antitrust enforcement initiatives of the current administration, at both the Antitrust Division and the Federal Trade Commission.

- **October 19, 2022**

The Section sponsored a program entitled "Hot Topics in Antitrust and Trade Regulation." Three practitioners spoke on cutting edge legal issues: Alicia J. Batts, Faegre Drinker Biddle & Reath LLP, Washington, DC, Scott P. Perlman, Mayer Brown LLP, Washington, DC, and Lisl J. Dunlop, Axinn, Veltrop & Harkrider LLP, New York, NY. The speakers presented on employment restrictions, health care, and federal enforcement, with respect to antitrust, respectively.

- **December 13, 2022**

The Section sponsored "Connecticut Attorney General's Office - Antitrust Department Recent Developments," for which the speakers were the Deputy Associate Attorney General and Antitrust Section Chief Nicole Demers and Assistant Attorney General Laura Martella, who discussed developments and priorities in state antitrust enforcement, including multistate enforcement in big tech cases and Connecticut's leading role in the multistate generic drugs antitrust litigation.

- **March 16, 2023**

The Section also sponsored “Significant Recent Initiatives Announced by the Federal Trade Commission and the U.S. DOJ Antitrust Division.” The current Chair of the Section, Robert M. Langer, Wiggin and Dana LLP, and Past Chair of the Section, Michael A. Kurs, Pullman & Comley LLC, presented on a number of key federal enforcement areas, including the FTC proposed trade regulation rule to eliminate employee non-compete agreements, FTC adoption of a new Policy Statement expanding the Commission’s unfair method of competition authority, the DOJ’s criminal enforcement of Section 2 of the Sherman Act, and the elimination of significant federal antitrust enforcement guidance documents.

- **June 5, 2023**

The Section is scheduled to offer two sessions at the 2023 Connecticut Legal Conference to be held at the Connecticut Convention Center on June 5, 2023:

- A. “Antitrust Violations and the DOJ Antitrust Leniency Program.” The program is to be moderated by the Honorable Kari A. Dooley, United States District Judge for the District of Connecticut. Judge Dooley will be joined by speakers James W. Attridge, Axinn, Veltrop & Harkrider, LLP, Washington, DC, and Eytayo “Tee” St. Matthew-Daniel, Paul Weiss, Rifkind, Wharton & Garrison LLP, New York, NY. The panel will examine the DOJ’s corporate leniency program, discussing why the program was created and how it works. The panel will discuss the risks and benefits of a leniency application from both a criminal and civil perspective.
- B. “CUTPA 50 Years!” In recognition of the 50th anniversary of the passage of the Connecticut Unfair Trade Practices Act (CUTPA), Section Chair Robert M. Langer, Wiggin and Dana LLP, will serve as Moderator and Speaker. Attorney Langer will be joined by Michael C. Wertheimer, Deputy Associate Attorney General and Consumer Protection Section Chief, Office of the Connecticut Attorney General, and David A. Slossberg, Hurwitz, Sagarin, Slossberg & Knuff, LLC. The seminar will discuss CUTPA’s remarkable development over the past half-century, including its profound importance in reshaping the fundamental nature of the relationship between businesses and consumers.

# Business Law Section

The purpose of the Business Law Section is “to promote the educational and professional objectives of the Connecticut Bar Association within the general field of business organizations law, including in particular securities law and the law of corporations, limited liability companies, partnerships, and other unincorporated businesses.” See Section 1.2 of the bylaws of the Business Law Section. The section focused on seeking to encourage greater participation of members of the Young Lawyers Section and law students at Connecticut law schools. In furtherance of this purpose, the Executive Committee of the section conducts monthly meetings to which all members of the section are invited. At each monthly meeting, the section presents a program of topical interest to its members, often with guest speakers. The section also monitors local, regional, and national developments affecting business law and, from time to time, proposes legislation designed to keep pace with those developments. Finally, the section serves as a resource to the General Assembly, the Governor’s office and state agencies on business and securities law matters.

## Section Officers

**Chair:** Ken Lerman

**1st Vice Chair:** Matt Gaul

**2nd Vice Chair:** Mark Klein

**Treasurer:** Robert Feiner

**Secretary:** Tom Wilkeson

**Legislative Liaison:** Danielle Edwards

## Committee Chairs

**Corporations:** John Lawrence

**LLCs:** Jason Marsh

**Securities:** Colin McKeon

**Non-Profits/Non-Stock:** Matthew Gaul

## Programs

- **Tuesday, September 13, 2022**

Section Meeting CLE: Mark Kohler, Secretary of the State, and Chris Drake, Director, Business Services Division, Connecticut Secretary of the State  
6:00 p.m. In-Person, Elm City Club: New Haven, CT

- **Tuesday, October 11, 2022**

Section Meeting CLE: Model Corporations Act Revisions John Lawrence – Shipman & Goodwin  
6:00 p.m. In-Person, TBD: New Haven, CT

- **Tuesday, November 1, 2022**  
Section Meeting CLE: Attorney General William Tong  
6:00 p.m. In-Person, TBD: New Haven, CT
- **Tuesday, December 13, 2022**  
Section Meeting CLE: Texas Gulf Sulphur @ 55 Marilyn J. Ford, Professor of Law at Quinnipiac Law School  
6:00 p.m. In-Person, TBD: New Haven, CT
- **Tuesday, January 10, 2023**  
Section Meeting CLE: Securities Law Primer Colin McKeon of Finn Dixon  
6:00 p.m. In-Person, TBD: New Haven, CT
- **Tuesday, February 7, 2023**  
Section Meeting CLE: Delaware Business Law Annual Update Tricia Vella & David Harris of Morris Nichols  
6:00 p.m. In-Person, TBD: New Haven, CT
- **Tuesday, March 14, 2023**  
Section Meeting CLE: M&A Mini Seminar David Albin of Finn Dixon  
6:00 p.m. In-Person, TBD: New Haven, CT
- **Tuesday, April 11, 2023**  
Section Meeting CLE: CT Business Law Litigation -- Year in Review Bill O'Sullivan of O'Sullivan McCormack  
6:00 p.m. In-Person, TBD: New Haven, CT
- **Tuesday, May 9, 2023**  
Section Meeting CLE: LLC Practicals Mark Sklarz of Green & Sklarz  
6:00 p.m. In-Person, TBD: New Haven, CT
- **Tuesday, June 20, 2023**  
Section Meeting CLE: War Stories Section members  
6:00 p.m. In-Person: New Haven, CT

## CLE

- Each of the programs listed above provided 1.0 CLE credit. The June program provide 1.0 CLE credits in ethics.

## The BLS also participated in or co-sponsored:

- October 27, 2022 -- Joint CT CPAs | CBA Business Law Section | CBA Tax Section | CBA Estates and Probate Section -- New Professionals Networking Event.
- April 18, 2023 networking and Bankruptcy CLE event "*Counseling Distressed Businesses: A 7-Year Study of CT Ch. 11 Trends*" jointly presented by the Young Lawyers section, the Commercial and Bankruptcy section, and our section, and Business Law in conjunction with Quinnipiac Law School.
- Contributed \$1,000 towards program and member costs of the April 18th program.
- April 25, 2023 joint virtual CLE with Franchise Law section on damages valuations and proving damages

- May 4, 2023 Chartered Financial Analysts Society of Hartford – Axe Throwing Networking event. BLS was invited. Not a co-sponsor.
- May 23, 2023 Joint Tax Section and Business Law Section and Estates and Probate Section meeting with CLE of the Commissioner of the Dept of Revenue Services.
- June 2023 CBA CLC Data Privacy CLE – joint program with Data Privacy Section
- Contributed \$900 as a one-time donation to the CBA Future of the Legal Profession Scholars Program

### **2023 – 2024 Bar Year**

- **September 5, 2023**  
SOTS & Business Law, Chris Drake and New SOTS
- **October 10, 2023**  
CETA in Practice, Hillel Goldman & John Lawrence
- **November 14, 2023**  
Attorney General, William Tong
- **December 12, 2023**  
Zoom
- **January 9, 2024**  
Securities Law primer | Back up Zoom, Colin McKeon
- **February 13, 2024**  
DE Law Annual Update | Back up Zoom, Tricia Vella & David Harris of Morris Nichols
- **March 12, 2024**  
M&A mini seminar, David Albin
- **April 9, 2024**  
Business Law Litigation - Year in Review, Bill O'Sullivan
- **May 14, 2024**  
LLC, Jason Marsh & Mark Sklarz
- **June 18, 2024**  
War Stories, BL section members



# Commercial Law and Bankruptcy Section

The purpose of the Commercial Law & 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 Commercial Law & Bankruptcy Section of the Connecticut Bar Association) This section achieves this purpose by encouraging the free 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.

## **Section Officers**

**Chair:** Kristin B. Mayhew

**Vice Chair:** Kevin McEleney

**Treasurer/ Secretary:** John Cesaroni

## **Section Accomplishments**

### **A. September, 2022 – Networking Event Pine Orchard Yacht Club**

The Commercial Law & Bankruptcy Section kicked off its bar year on September 8, 2022 at the Pine Orchard Yacht Club in Branford. The evening began with the Section’s first Executive Committee meeting of the year, at which reports were given from the chairs of the various Standing Committees regarding their activities and the officers discussed upcoming programs. Among the reports given was from Thomas Gugliotti on behalf of the Section’s Standing Committee on Pro Bono Services. Tom explained that there are two separate panels for those who sign up to provide pro bono bankruptcy services, the first panel is to represent debtors in Chapter 7 proceedings and the second panel is to represent debtors in contested matters and adversary proceedings. Tom indicated that about 20 lawyers have registered to provide pro bono services but only 3 of them are on panel 2. The Executive Committee meeting was followed by a cocktail reception and networking dinner overlooking the water.

### **B. October, 2022 – Hartford Club**

The Section’s October Executive Committee meeting and dinner program were held on October 26, 2022, at the Hartford Club. The Chairs of the Standing Committees provided updates on their respective committee activities and future plans. The program featured a presentation by former Connecticut Supreme Court Justice Peter Zarella and Wesley Horton, a distinguished appellate lawyer, on the procedural aspects of appeals, including stays pending appeal, as well as best practices for briefing and oral argument.

### **C. November, 2022**

The 5th Annual Connecticut Bankruptcy Conference was once again a tremendous success and the highlight of our Section’s bar year. The Conference was held on Thursday, November 10, 2022 at Saint Clements Castle in Portland, Connecticut. This full-day

conference, complete with breakfast, lunch and a cocktail party, provided over seven (7.0) hours of continuing legal education credits, including two and a half (2.5) hours of ethics, and tremendous opportunities to network with members of the bankruptcy bar. Over 160 attorneys attended this year's conference. The Conference was the result of the hard work and dedication of the members of the Conference Planning Committee, co-chaired by Nany Kinsella of Neubert, Pepe & Monteith and Taruna Garg of Murtha Cullina, and the incredible CBA staff, led by Thomas Genung, who secured the venue, supported the programming initiatives, managed sponsorships and handled registration. The other members of the Conference Planning Committee include outgoing Section Chair and Chapter 13 Trustee, Roberta Napolitano, Secretary/Treasurer, John Cesaroni, Bill Fish, Joanna Kornafel, Tom Sansone and Carl Gulliver.

Our Connecticut Bankruptcy Judges (Nevins, CJ, Manning and Tancredi) kicked off the conference with a presentation on the state of the Connecticut Bankruptcy Court in 2022. The morning Plenary Session was led by the Honorable Christopher Alston, bankruptcy judge for the Western District of Washington in Seattle, the Honorable Frank Bailey (ret.), bankruptcy judge for the District of Massachusetts, Boston, and the honorable Sandra Klein, bankruptcy judge for the Central District of California, Los Angeles, who discussed Diversity on the Bench.

Chief Judge Christopher Panos of the United States Bankruptcy Court for the District of Massachusetts partnered with Irve Goldman of Pullman & Comley, LLC and United States Trustee for Regions 2 and 3, William K. Harrington, to discuss an overview and current issues with nonconsensual third-party releases in bankruptcy. The concurrent consumer panelists were Andrea O'Connor, Chapter 7 Trustee, Fitzgerald Law, PC and Scott Charmoy, Charmoy & Charmoy, LLC who provided insights in property sales in Chapter 7 and Chapter 13 bankruptcy cases.

The Keynote Speaker was Edward Janger of the Brooklyn Law School who engaged the attendees in a debate as to whether a secured creditor "owns" the going concern surplus in a Chapter 11 proceeding. In the afternoon, attendees once again had the choice of attending either the consumer program or the commercial program. The consumer program focused on issues concerning appreciation and depreciation in bankruptcy and, in particular, an update on Connecticut's homestead exemption and changes in property valuation. This consumer panel was moderated by outgoing Section Chair and Chapter 13 Trustee, Roberta Napolitano, and the presenters were Matthew Beatman of Zeisler & Zeisler and Chapter 7 Trustee George Roumeliotis. The commercial program focused on Trial Practice in Bankruptcy Court and was presented by Chief Judge Ann M. Nevins, Kristin Mayhew of Pullman & Comley, LLC and David Shaiken of Shipman, Shaiken & Schwefel LLC and was moderated by John Cesaroni of Zeisler & Zeisler.

The two afternoon sessions featured a consumer panel discussion on the Intersection of Bankruptcy and Title Insurance led by Thomas Gugliotti of Updike, Kelley & Spellacy, and a commercial panel discussion on Digital Assets led by Judge James Tancredi. The Closing Plenary Session focused on Ethics and the recent changes to the Rules of Professional Conduct. The ethics panel was presented by The Honorable Julie Manning, David Atkins of Pullman & Comley, LLC, and Thomas Sansone and Sherwin Yoder of Carmody, Torrance Sandak & Hennessey LLP.

**D. December, 2022**

On Monday, December 5, 2023, the Section held its annual joint holiday party with the Connecticut Chapter of the Turnaround Management Association (“CTTMA”) at the Graduate Club in New Haven. As always, this was a well-attended event providing cross-marketing opportunities among the members of the Section and professionals involved with the CTTMA.

**E. January, 2023**

On January 18, 2023, our Section hosted a webinar presentation on the use of PACER accounts, Rule 11 and Connecticut’s Local Rules of Bankruptcy Procedure led by attorneys from the Law Offices of Neil Crane.

**F. February, 2023**

On February 23, 2023, the Section held an Executive Committee meeting at the offices of Pullman & Comley. Following the Executive Committee meeting and a pizza dinner, members of the Section walked next door to the Total Mortgage Arena to attend a Bridgeport Islanders hockey game. It was a fantastic event and many of the attendees brought their children and family members to the game.

**G. March, 2023**

On March 27, 2023, the Section held an Executive Committee meeting followed by a dynamic panel discussion regarding the newly adopted Department of Justice guidelines on the dischargeability of student loans. Assistant United States Attorneys Lauren Nash and Julie Turbert provided an extensive overview of the guidelines and explained how the federal government is using them to assess whether student loans should be discharged under Section 523(a)(8) of the Bankruptcy Code.

**H. April, 2023**

On April 18, 2023, after months of hard work and planning, members of the Commercial Law & Bankruptcy Section, the Business Law Section and the Young Lawyers Section hosted a lively program at the Quinnipiac Medical School. The program focused on the results of a study of all Chapter 11 bankruptcy cases in Connecticut for the period 2013-2019 undertaken by Quinnipiac Law School Professor and long-standing member of the Section, Robert White, and his students. Section members, associates at their law firms and law students have generously devoted their time and energy to assist Professor White in the review and analysis of more than 400 bankruptcy cases that were filed in the District of Connecticut. Our discussion was led by Professor White, Eric Henzy, Robert Fleischer and Paige Vaillancourt. Each panelist offered his or her unique insights and observations about the trends in corporate bankruptcies over the past few years and important takeaways from the statistics. The joint event was a tremendous success as there were opportunities for cross-marketing among the various Sections as well as with law students.

**I. May, 2023**

Our final event of the year was held on May 17, 2023 in New Haven where the Section announced the winners of the “CLABBY Awards” for the Career Achievement Award and the Service to the Profession Award. This year the Section bestowed the Career Achievement Award to the Chapter 13 Trustee, Roberta Napolitano, and the Service to the Profession Award to Bob Kaelin, a partner with Murtha Cullina.

## CLE

The Section held five (5) events which provided CLE credits and are described in more detail above:

1. **October 26, 2022** – How to Approach Appeals in Commercial Matters for one (1.0) hour of CLE credit.
2. **November 10, 2022** – 5th Annual Bankruptcy Conference for seven (7.0) hours of CLE credit including 2.5 hours of ethics credit.
3. **January 18, 2023** – Rule 11 and Connecticut’s Local Bankruptcy Rules of Procedure for one (1.0) hour of CLE credit.
4. **March 27, 2023** – The Dischargeability of Student Loans and the DOJ Guidelines for one (1.0) hour of CLE credit.
5. **April 18, 2023** – Counseling Distressed Businesses – A 7-Year Study of CT Chapter 11 Trends for one and half (1.5) hours of CLE credits.

## Legislative Efforts

The Section participated in a number of legislative efforts this year. First, a proposal was made to form a legislative sub-committee to work with the Business Law Section on the new amendments to the Uniform Commercial Code incorporating digital assets to the UCC. Virtually every Article is being revised and a new Article 12 on Controllable Electronic Records is being added to deal with the host of electronic assets (including NFT’s). The amendments will likely be submitted to the General Assembly. As such, the Executive Committee voted to approve the formation of a sub-committee for this purpose to be chaired by Thomas Welsh.

Second, the Executive Committee formed a sub-committee chaired by Eric Goldstein for the purpose of proposing revisions to the Connecticut Practice Book to accommodate the newly enacted Uniform Commercial Real Estate Receivership Act. Eric and his Committee are working hard to make proposed rule recommendations concerning the UCRRA

## Volunteer Activities

The newly formed Public Outreach Committee, led by Kara Rescia, focused its efforts this year on promoting civics education and financial literacy among high school students. The Committee’s goal is to assist schools and educate students about the national Credit Abuse Resistance Education (“CARE”) program, a national, nonprofit organization dedicated to providing students and young adults with the skills they need to make smart financial decisions.

The Committee, comprised of members of the Section as well as Bankruptcy Judge Julie Manning, has been interfacing with teachers and administrators at the public high schools in Hartford, New Haven and Bridgeport in order to get into the schools and give presentations to the students on financial literacy and civics education.

On October 19, 2023, Quinnipiac Law School Professor Bob White and Paige Vaillancourt, gave a financial literacy presentation to students at Weaver High School and Bulkley High School. The program was well attended, and the Public Outreach Committee is working with other high schools across the state to make similar presentations in the coming months.

### **Diversity & Inclusion Efforts**

The Section has endeavored to support Diversity, Equity & Inclusion initiatives. To that end, it has made several charitable donations with these goals in mind. The Section approved a \$1,000 charitable donation from Section funds to the CBA Future of the Legal Profession Scholarship Program, which donation will be used to subsidize the cost of the Kaplan LSAT prep course for a minority college student. This initiative was led by the Sections' former Chair, Evan Goldstein.

The Executive Committee also approved a \$1,000 charitable donation request made by former Chair, Bob Kaelin, to subsidize the registration fee for DE&I law students to attend the Section's 5th Annual Bankruptcy Conference.

Finally, in April, 2023, the Executive Committee approve a \$300 charitable donation request to subsidize the cost for a team of high school students from Wilbur High School to attend a national competition called "We the People National Finals" to be held in Washington, D.C.. The Executive Committee overwhelming voted to approve this request as it aligns with the CBA's Strategic Diversity and Inclusion Plan in that the team was selected from classes that meet federal guidelines defining high-needs students.

# Construction Law Section

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.

## Section Officers

Under the section's bylaws, each officer serves a two-year term. The current slate of officers was elected at the section's February 25, 2021 meeting, their terms to be effective as of July 1, 2021 and run to June 2023. The current section officers are:

**Chair:** Michael J. Donnelly  
**Vice Chair:** Laurann Asklof  
**Secretary:** Martin Onorato  
**Treasurer:** Paul Fitzgerald

## Liaisons

In accordance with the leadership succession plan set forth in the section's bylaws, my term as chair expires in June 2023. The bylaws further provide that each remaining officer shall succeed to the next highest officer position upon the completion of their terms, and that the rising chair shall select a member of the Executive Committee to fill the vacant treasurer's position. However, because Laurann Asklof declined to move up to the Chair position due to other obligations, Martin Onorato was elected Chair and Paul Fitzgerald will assume the role of Vice-Chair. Anita Di Gioia has been selected as the new Secretary and Steven Lapp will be Treasurer as of July 1. The current section liaisons are:

**Legislation:** Frederick Hedberg/Ben Berger  
**Website:** Steven Lapp  
**Diversity:** Leslie King

## Meetings and Programming

The section had four educational programs, three of which were held in conjunction with Executive Committee and Section meetings.

The first combination educational program, section meeting, and Executive Committee meeting was held on September 28, 2022. This was a presentation on changes in the AAA discovery rules and trends affecting arbitration of construction cases. The guest speakers were Steve Kaplan (Michelson, Kane, Royster & Barger) and Jennifer Millender, (Director of ADR Services, AAA).

On November 10, 2022 we had a combined meeting which included a program where Don Shubert, the Executive Director of CCIA led a discussion on legal, legislative and practical challenges facing the construction industry. The discussion touched on supply chain issues, inflation. Legalized marijuana and the attorney general's renewed interest in enacting a False Claims Act are impacting the Section's clients and their projects.

The third combination educational program, Executive Committee and section meeting was held on March 23, 2023. Michael Pepe and Brian Clifford (Saxe Doernberger & Vita, P.C.) presented a discussion on best practices for transferring risk downstream through contractual provisions and insurance products.

The fourth educational program will be presented as part of the CBA Legal Conference.

It is expected that Rory Farrell (McElroy, Deutch, Mulvaney & Carpenter) and Carolyn Young (Michelson, Kane, Royster & Barger) will present on the Construction Law Year in Review.

### **Publications**

Carrying on a longstanding and valuable annual project, the section once again produced its annual Construction Case Law Summary, detailing important court decisions and legislative developments that affected the construction industry in Connecticut during 2022. This extensive analysis and compilation of materials—amassed and edited by about 15 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 at the CBA Legal Conference

### **Legislation**

The section is actively opposing the expansion of the False Claims Act from the health industry to a broad array of industries, including construction. We have also renewed our longstanding position in favor of allowing pass through claims under CGS 4-61.



# Criminal Justice Section

The Criminal Justice Section aims to provide a forum for judges, prosecutors, and defense attorneys to exchange ideas regarding criminal law on a monthly basis, present speakers to the section on topics that impact the practice of criminal law, and provide input to the state and federal legislatures regarding proposed bills affecting criminal law.

## **Section Officers**

**Chair:** Cody N. Guarnieri

**Vice Chair:** Cynthia Barlow

## **Specific Goals of the Year**

To continue to provide information to our section members and host opportunities for CLE and fellowship among practitioners in the criminal justice field.

## **Projects**

Keeping section members informed. Sidebar has been utilized to try to provide discreet and meaningful information to the members of the Section regarding legislative updates, employment opportunities, volunteering and programing in the Criminal Justice area.

## **Meetings**

The Executive Committee of the section collaborated throughout the year. The Section hosted the Chief State's Attorney earlier the year at a regular meeting, and continues to work on finding the right balance of in-person versus virtual programing.

## **Efforts to Improve**

The Section has continued to work to incorporate younger lawyers and develop programing that is relevant and practical. Given the aging population in the bar, the Section has struggled coming out of the Covid-19 pandemic, but continues to endeavor to provide a meaningful forum for practitioners.



# Education Law Section

The Education Law Section brings together education lawyers to discuss matters of mutual interest. Lawyers who practice in the area of special education or labor law, hearing officers, litigators, lawyers who are teachers, and school administrators are members. Section members represent boards, parents, and teachers.

## Section Officers

**Chair:** Maria Morelli-Wolfe

**Vice Chair:** Eleanor Farrell

**Secretary:** Penelope Petzold

**Treasurer:** Winona Zimmerlin

Executive Committee meetings were convened on September 21, 2022, and February 2, 2023. At our September meeting, we shared ideas for Section meetings and/or CLE programs, brainstormed ideas for a section social or happy hour, and discussed the scholarship request from the CBA. At our February meeting, we discussed the Section's midyear report, nominated Executive Committee members, and made plans for the remaining bar year.

## Meetings

- The Section held (nearly) monthly meetings via Zoom. Attendance appears more consistent with virtual meetings.
- Our kick-off meeting was held on October 18, 2022. We discussed possible section meeting and CLE ideas, as well as possible social ideas.
- On October 27, 2022, we held a joint section meeting with the Child Welfare Section on residential treatment and therapeutic foster care options. The program offered 1.25 CLE credits.
- On November 10, 2022, Bryan Klimkiewicz, Special Education Division Director, Connecticut State Department of Education, Bureau of Special Education, spoke to the section about the SDE's rollout of CT SEDS, the new IEP and data system. Bryan returned to the section on June 21, 2023, to address ongoing concerns and answer questions about the CT SEDS system. Each meeting offered 1.0 CLE credit.
- On January 26, 2023, the section welcomed Susan Kocaba, Sabrina Mancini, and Marcy Reed,
- State Department of Education Technical Assistants in the SDE Academic Office, Adult Education, to discuss adult education options in Connecticut. The program offered 1.0 CLE credit.
- On March 21, 2023, the Section discussed current legislative activity and bills. The discussion was led by the Section's Legislative Liaison, Attorney Deborah Stevenson.
- On April 26, 2023, Section Treasurer Attorney Penelope Petzold gave a case law update.
- On May 23, 2023, Executive Committee Member, Attorney Gwaina Wauldon, Pullman & Comley, presented on Title IX, past, present and future. The program offered 1.5 CLE credits.

**CLE programs:**

On September 29, 2022, the Section offered a half-day hybrid in-person/Zoom CLE on the Essential of Expulsion. Speakers included Attorneys Bet Gailor of Connecticut Legal Services, Attorney Kelsey Scarlett of Shipman & Goodwin, Attorney Piper Paul of Piper Paul, LLC, and Attorney Maria Morelli-Wolfe of Greater Hartford Legal Aid. Attorneys who made a pledge to the CBA's Pro Bono Connect were able to attend for free. Approximately 20 attorneys attended. CLE credit was also offered through 5 section meetings described above.

**Legislative Action:**

As in past years, the Section did not take a position on any legislation or engage in any lobbying.

**Volunteer Activities:**

The Section did not organize or participate in any volunteer activities. Volunteering is an area for improvement for our Section for the coming 2023-24 CBA year.

**Diversity, Equity and Inclusion:**

The Education Section was without a DEI plan going into our 2021-22 CBA year. The Section continues to strive to draw members and speakers with diverse backgrounds, experiences, and positions. The section donated to the CBA's Future of the Legal Profession Scholars Program.

**Membership:**

Our membership efforts grew more purposeful this year, keeping in mind of our DEI goals. The Section welcomed 2 new members to our Executive Committee, 3 CBA members "test drove" our small section, a CBA Presidential Fellow joined our Section, efforts were made to connect with the YLS, and invitations to meetings were extended to other practice sections.

# Elder Law Section

The purpose of the Elder Law Section is to bring together and foster relationships among those CBA members practicing in the elder law field or those who are interested in the legal problems of the elderly and promoting improvements in the administration and delivery of legal services to and for the elderly. The Section offers: discussion of current issues affecting this practice area; education of the Section membership and the general public on legal issues involving the elderly, and monitoring of legislative; and review of regulatory activity affecting the elderly all in accordance with procedures established by the CBA.

## **Section Officers**

**Chair:** Carmine Perri

**Vice Chair:** Kathleen D. Hayes

**Treasurer:** Scott D. Rosenberg

**Secretary:** Christine Tenore

This year the Elder Law Section of the CBA continued its policy of open meetings for all section members. This year the meetings were either held via zoom, hybrid (in-person and via zoom), or in-person. All members are continuously encouraged to join committees and have a more integral role in the Section. Our Section continues to remain fiscally sound.

## **Ad Hoc Committee for Remote Execution Issues**

Co-Chairs James Young and Amy Todisco.

An ad hoc committee for remote execution issues was covered this year under the leadership of James Young and Amy Todisco, with the support of additional members. The committee reported to the Executive Committee with its findings and recommendations.

## **Legislative Committee**

Chaired by Kathleen Hayes

Kathleen Hayes, with support from a number of other members, and our lobbyist Melissa Biggs, continued the legislative efforts for the Elder Law section this year. Members presented testimony on matters of interest and upon which the Section has LPRC approved positions.

## **SNF/ALF Committee**

Co-Chairs Sandra Sherlock White and Lara Stauning This Committee, continued their focus on the rights of those residing in skilled or assisted nursing facilities and through educational programs and other opportunities to increase awareness.

## **CLE/Education Liaison Committee**

Co-Chaired by Tanya Spurlin and Christine Tenore, the Committee, at the urging of the Section Chair, focused on Elder Abuse and Exploitation while also including various other topics and issues.

The 2022/2023 continuing education efforts continued with the support of many committee members. The Committee met monthly to discuss and arrange for the following monthly meetings.

**Programs for the 2022/2023 years included:**

- September 20 – In-person and virtual monthly meeting followed by program titled “Pearls and Perils in the Trajectory of Dementia Care”. Presenter, Harry E. Morgan, M.D.
- October 18 – In-person and virtual monthly meeting followed by program titled “Ethics and Elder Law” program focused on the grievance process and discussion regarding ethical rules related to identifying the client and assessing capacity. Presenters: Brendon P. Levesque, Esq. and Michael S. Taylor, Esq.
- November 15 – Virtual monthly meeting followed by program titled “DSS Fair Hearings-A Case Study” program focused on the elements of a Fair Hearing and many of the necessary filings through the lens of an actual fair hearing. Presenters, Robert J. Santoro, Esq and Carmine Perri, Esq.
- December 13 – Virtual Monthly Meeting followed by program titled “Festivus with DSS” program focused on the Title 19 application process for both community options and long-term care. Presenters: Sarah Chmielecki, Laurie Filippini, Paul Chase, Jennifer Cavallaro, and Kristin Dowty. A special thanks to Cynthis Cartier, Esq. for her assistance and role in setting this program up.
- January 24 – Virtual Monthly Meeting followed by program titled “Annuities for Dummies” program focused on the use of SPIA’s for preserving assets for the community spouse. Presenter, Wade D. Jensen, Esq.
- February 21 – Virtual Monthly Meeting followed by program titled “Anatomy of a Supplemental Needs Trust”. Presenter, Colleen Masse, Esq.
- March 21– Virtual monthly meeting and presentation were cancelled due to speaker related issues.
- April 19 – In-person program titled “Identifying and Navigating Elder Abuse in the 21st Century”. Presenters: Honorable Jeannine Lewis, Honorable Charles K. Norris, Sandra Sherlock-White, Esq., Christopher Hug, Esq., and Carmine Perri, Esq.
- May 16 – In-person monthly meeting followed by program titled “Veteran’s Affairs Benefits and Long-Term Care Planning”. Presenters: Ramon Agosto and Alison M. Weir, Esq.

# Environmental Law Section

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.

## Section Officers

**Chair:** Elizabeth Fortino

This year, the Section again varied its customary meeting formats, times, and locations in order to expand and diversify our active membership and include more junior level attorneys, government attorneys, attorneys at non-profits and small-firm attorneys.

## Full Section Meetings

1. September 8, 2022: **Presentation of the Clyde O. Fisher Award**, a dinner meeting at the Elm City Club in New Haven. The Section presented their annual Clyde O. Fisher award to Gordon T. Geballe, former Associate Dean for Student International Engagement, Lecturer in Urban Ecology, who retired from Yale in the Spring of 2022. Mr. Geballe graciously accepted the award and told us about his career and his advancement in the environmental field.
2. October 27, 2022: **DEEP Brownfields Presentation**, a dinner meeting at City Steam Brewery and Café in Hartford. The Section was joined by Mark Lewis and Ray Frigon from DEEP to discuss the current state of Brownfields Programs and Cleanup in the State. The discussion also touched on staff changes in the Remediation Division and new points of contact. CLE Credit: 1.0 CT CLE Credit.
3. December 5, 2022: **Risk Management for Lawyers: The Basics**, joint meeting of the Environmental Law Section and the Energy, Public Utility and Communications Law Section, a dinner meeting at the Hotel Marcel in New Haven. This meeting focused on ethics, specifically common professional





liability pitfalls. The program consisted of a two hour long interactive discussion suggesting some ways conscientious practitioners can avoid trouble. CLE Credit: 2.0 CT CLE Credit (Ethics).

4. January 10, 2023: **Holiday Party**, a dinner party at the Griswold Inn in Essex. The Section enjoyed an evening of good food and great conversation with colleagues by the fireplace in the library room.
5. March 15, 2023 (rescheduled from February 28, 2023): **New ASTM Standard and Phase Is in Connecticut**, a dinner meeting at the Inn at Middletown. Adam Henry, LEP from GZA joined the Section for an informational presentation on the new ASTM standard that went into effect on February 13, 2023. Mr. Henry also discussed the differences between ASTM standard and SCGD Phase Is and touched on PFAs and how they are discussed in Phase I reports. CLE Credit: 1.0 CT CLE Credit.
6. April 19, 2023: **An Evening with the DEEP Commissioner and Staff**, a dinner meeting at Chuck's Steak House in Rocky Hill. Unfortunately, Commissioner Dykes was unable to attend at the last minute but we still had a great turnout from DEEP Staff. Brandan Schain, Graham Stevens, Melinda Decker, Matthew Levine and Ray Frigon were able to join us to facilitate a lively discussion about that status of hiring new staff at DEEP, the release-based program, and emerging issues at the agency. CLE Credit: 1.0 CLE Credits



### Executive Committee Meetings

None

### CLE

The Section arranged for CT CLE Credit for three of its full Section meetings.

In addition, the Section's program planned for the June 5, 2023 Connecticut Legal Conference has been approved for 2.0 hours of CT and NY credit. The program, entitled "PFAS Litigation and Regulation Update" will discuss PFAs, which have been subject to increasing regulation, litigation and public attention. Moderator: Emilee Mooney Scott, Robinson + Cole LLP, Hartford. Speakers: Megan E. Baroni, Robinson + Cole LLP, Stamford; Julianne Lomabrdo Klassen, RisCassi & David PC, Hartford; and Richard Desrosiers, GZA Environmental, Glastonbury. CLE Credit: 2.0 Hours (CT: General; NY: 2.0 AOP)

### Legislative Efforts

None

# Franchise Distribution and Dealer Law Section

The Franchise, Distribution & Dealer Law Section seeks to promote the educational and professional objectives of the CBA within the practice area of franchise, distribution & dealer law, which include discussing and providing updates regarding current issues and events affecting this practice area and industry, educating the section membership about relevant legal issues affecting the practice area and industry, and fostering positive relationships among those practicing attorneys and other members of the section.

## Section Officers

**Chair:** Jaime Paoletti, Esq.

## Programs

1. **1/11/23: Arbitration is not Litigation Sitting Down** – Joint Program with Employment Law Section held at 155 Elm Street, New Haven CT, Speakers: Judge Elaine Gordon, Dave Reif, Rob Harris.
2. **4/18/23: Valuation of Damages in Franchise Disputes** – Speaker Bruce Schaffer, Held: April 18 Virtual
3. **Executive Committee Meetings:** Several to discuss direction of Section, how to improve participation, and CLE topics.

## Timetable for Events

See above; none for next Bar.

## Section Communications

Email/sidebar

## Needs from the CBA

As a chair of a small section, in person meetings with all section chairs before the section year would be beneficial to discuss joint programming.

## Thoughts on the Future

More opportunities to collaborate with other section chairs on joint programming and ways to build section.

# Human Rights and Responsibilities Section

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.

## **Section Officers**

**Chair:** Barbara J. Collins

## **Meetings**

Meetings are always open to all members.

This term the Section held no meetings but regularly communicate with the members via email.

## **CLE**

In 2021-23 the Section concentrated on watching actions by government and legislature to ensure no elimination of rights for individuals and groups.

## **Legislative Efforts**

The Section had a very quiet year. We again monitored legislation that we had worked with the Elder Law Section regarding Aid In Dying to ensure that the safeguards we had proposed were not eliminated, and we monitored other bills concerning human trafficking, police procedure and the Commission on Human Rights and Opportunities enforcement procedures. The session is not over so we are watching to ensure nonprofits that aid our citizens are not unfairly denied budgetary support.



# Intellectual Property Law Section

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

## **Section Officers**

### **Co-Chairs:**

John Cordani Jr.

Mallory Hein

### **The Section has held the following events/programs during this term:**

- On December 1, 2022 the Section hosted an Intellectual Property Ethics program entitled “Ethical Practices for Communications with Clients, Opposing Parties, and the USPTO.” The event offered 2.0 hours of CT and NY CLE.
- On March 29, 2023 the Section hosted a program entitled “IP Year in Review: Hot Topics in Patent, Trademark, and Copyright Law.” The event offered 2.0 hours of CT and NY CLE.

The Section has begun planning two (2) events to be held during the next term, one in early fall and one in December.

In addition to the meetings held above, the Section held seven (7) Executive Committee meetings during this term.

# International Law Section

The purpose of the Section of International Law is to promote the educational and professional objectives of the Association within the general field of international law, and to advance the lawyer's role through the rule of law, including Private International Law (including International Commercial Law, International Trade Law, International Commercial Arbitration, and International Family Law), and Public International Law (including International Human Rights Law).

## Section Officers

**Chair:** Houston Putnam Lowry

**Vice Chair:** Thomas J. Welsh

**Secretary/Treasurer:** Paul B. Edelberg

## Executive Committee

Lorenzo Agnoloni

Brad Berman

Daniel R. Cooper

Paul B. Edelberg

Gary Levvis

Houston Putnam Lowry

Thomas J. Welsh

## Committees

The following committees were appointed:

1. Legislative Committee Chair-Houston Putnam Lowry. While the legislative committee was active, no action was required on any pending legislation (other than coordination with the Alternative Dispute Resolution Section regarding the Uniform Mediation Act, which contains the UNCITRAL Model Conciliation Act).
2. International Human Rights Committee Chair- Gary Levvis
3. Annual Meeting Program Chair-Daniel R. Cooper

## Programs

- On September 13, 2022, Melissa Kucinski of MK Family Law PLLC spoke on “What You NEED to Know About International Child Abduction Cases.”
- On February 6, 2023, Houston Putnam Lowry of Ford & Paulekas, LLP spoke on “Recent Developments in the Interpretation of 28 USC §1782 in International Commercial Arbitration.”

- On March 1, 2023, Daniel R. Cooper of Cooper & Kurz spoke on “How Climate Change In The Arctic Scrambles The International Legal Picture And International Relations Among The Arctic 8 And Also Impacts The Position Of Indigenous Communities In The Region.”
- On April 11, 2023, Gary Levvis spoke on the Alien Tort Claims Act.
- On May 4, 2023, Brad Berman of Berman Legal LLC spoke on International ship and corporate finance.
- On May 25, 2023, Jeff Zaino, Vice President of New York and New England American Arbitration Association spoke on Commercial Arbitration Rules update.

### **Legislative Positions Adopted**

The section maintained the following legislative positions (none of which were introduced in the Connecticut General Assembly):

1. Support 2006 revisions to the UNCITRAL Model Law on International Commercial Arbitration (currently enacted in Connecticut General Statutes §50a-100, et seq)
2. Support ratification of Hague Convention on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters (July 2, 2019).
3. Support ratification of the Hague Convention on Choice of Court Agreements (June 30, 2005).
4. Support enacting a CT statute analogous to the Alien Tort Claims Act 28 USC §1350
5. Support a choice of law statute
6. UNCITRAL Model Law on International Commercial Mediation and International Settlement Agreements Resulting from Mediation, 2018

# Labor and Employment Law Section

The Labor and Employment Law Section is comprised of practitioners who represent individuals, unions, employers and agencies, or serve as neutrals. The functions of the Section include studying and analyzing legal principles having particular significance to labor or employment law; providing leadership in matters of public importance affecting labor or employment law; educating through the publication of works of legal scholarship and presentation of the highest quality educational programs; promoting diversity within the labor and employment bar, and fostering collegial relations among the diverse practitioners within the section and between the section and other professions and disciplines.

## **Section Officers**

**Chair:** Zachary D. Schurin

**Vice-Chair:** Kyle A. McClain

**Secretary:** Cindy M. Cieslak

**Treasurer:** Christopher R. Henderson

## **Section Meetings and Continuing Legal Education Programs**

The following section meetings, for which attendees earned CLE credit, were held during the bar year:

- August 31, 2022: The Executive Committee held an online meeting to discuss plans and potential CLE programming for the upcoming year.
- November 15, 2022: The Section held an in-person meeting at the Elm City Club in New Haven followed by a CLE presentation by David Rintoul of Rintoul Law presented a program entitled “What Every Employment Lawyer Should Know About ERISA Benefit Claims.”
- January 11, 2023: The Sections hosted an in-person joint CLE program with the Franchise Law Section at the Elm City Club in New Haven entitled “Arbitration is Not Litigation Sitting Down” that was presented by arbitrators Judge Elaine Gordon (Ret.), David Reif and Rob Harris.
- February 23, 2023: The Executive Committee held an online meeting to discuss the annual Labor and Employment Symposium and the use of Section funds to support Symposium programming.
- March 9, 2023: The Section hosted a joint CLE on-line seminar with the Workers’ Compensation Section entitled “Cannabis in the CT Workplace: Labor Law and Workers’ Compensation.” The seminar was presented by the Honorable David Schoolcraft, Ryan Dacey of Mullen & McGourty, Megan Carannante of Pullman & Comley and Zachary Zeid of Pullman & Comley. Robert Bystrowski of Morrison Mahoney and Zachary Schurin of Pullman & Comley moderated the program.

- April 20, 2023: The Section hosted a dinner reception CLE program with Federal Judges Kari A. Dooley and Sarala V. Nagala at Anthony's Ocean View in New Haven to hear Judge Dooley and Judge Nagala's observations about employment law cases in the District of Connecticut – including discovery disputes, dispositive motions, and trial practice.
- June 5, 2023: Section members Allison Dearington of Jackson Lewis and Joshua R. Goodbaum of Garrison Levin-Epstein Fitzgerald & Pirrotti PC presented an hour-long seminar at the Connecticut Legal Conference entitled “Pay Transparency, Non-Competes, Arbitration Clauses, and Non-Disclosure Agreements: The Next Frontiers in Labor and Employment Law.”

### **March 30, 2023 – Labor and Employment Law Symposium**

On March 30th the Section proudly hosted its annual Labor and Employment Law Symposium at Grassy Hill Country Club in Orange. This year marked a return of the Symposium after a three year hiatus due to the COVID-19 pandemic. Approximately 70 attendees attended and the programming was recorded and made available via the CBA's education portal for CBA members who had an interest in attending but did not attend due to COVID concerns.

The Symposium included the following programs:

- “Civility and Professionalism: The Line Between Advocacy and Unethical Conduct”

Panel:

**Cindy M. Cieslak**, Rose Kallor LLP, Hartford

**Desi Imetovski**, Sr. Counsel at Kohler Co., former Assistant Chief Disciplinary Counsel, Shelton

Moderator:

**John “Jay” Crowley, III**, Jay Crowley Law LLC, Ledyard

- “Arbitration of Employment Disputes After Epic Systems”

Panel:

**Craig T. Dickinson**, FordHarrison LLP, Hartford

**Hugh F. Murray, III**, McCarter & English LLP, Hartford

Moderator:

**Emily A. Gianquinto**, McCarter & English LLP, Hartford

- “Privacy in the Workplace:

Panel:

**Dena M. Castricone**, DMC Law LLC, North Haven

**Elizabeth Galletta**, BD Emerson Legal Group LLP, Fiskdale, MA

**Sarah S. Healey**, Carmody Torrance Sandak & Hennessey LLP, New Haven

Moderator:

**Sherwin M. Yoder**, Carmody Torrance Sandak & Hennessey LLP, New Haven

- “NLRB Case Updates and Trends”  
Panel:  
**Alan H. Bowie, Jr.**, BIC Corporation, Shelton  
**James Demetriades**, Ferguson Doyle & Chester PC, Rocky Hill  
Moderator:  
**Christopher R. Henderson**, Berchem Moses PC, Milford
- “Awarding Employees ‘Almost Equity:’ Phantom Stock/Equity Equivalent Agreements; Options; Deferred Compensation”  
Panel:  
**Daniel B. Fitzgerald**, Brody Wilkinson PC, Southport  
**David S. Rintoul**, Rintoul Law LLC, Wilton
- “Managing a Remote Workforce”  
Panel:  
**Kelly Cardin**, Ogletree Deakins Nash Smoak & Stewart PC, Stamford  
**Allison Dearington**, Jackson Lewis, PC, Hartford  
Moderator:  
**Andres Jimenez-Franck**, Ogletree Deakins Nash Smoak & Stewart PC, Stamford
- “Untangling Federal FMLA, CT FMLA, and CT Paid Leave”  
Panel:  
**Paula N. Anthony**, Littler Mendelson PC, New Haven  
**Heidi Lane**, State of Connecticut - Department of Labor, Wethersfield  
**Nicole M. Rothgeb**, Livingston Adler Pulda Meiklejohn & Kelly PC, Hartford  
Moderator:  
**Kyle A. McClain**, Zangari Cohn Cuthbertson Duhl & Grello PC, Hartford
- “Annual Employment Law Update”  
Panel:  
**Joshua R. Goodbaum**, Garrison Levin-Epstein Fitzgerald & Pirrotti PC, New Haven  
**Mary E. Kelly**, Livingston Adler Pulda Meiklejohn & Kelly PC, West Hartford  
**John G. Stretton**, Ogletree Deakins Nash Smoak & Stewart PC, Stamford

### **Legislation**

As the section’s legislative liaison, Mark Sommaruga of Pullman & Comley LLC, monitors relevant labor and employment law legislation. Due to the diverse areas of practice and perspectives of its members, the section is generally unable to take a position on particular legislation.

# Media and the Law Section

The Media and the Law Section aims to provide a forum for CBA members to discuss and take action on legal issues related to the media, journalism, social media, and entertainment industries. The section will explore a wide variety of topics, including First Amendment and FOIA issues, privacy protection for individuals, the rights and protection of journalists, and the intersection of digital and social media in our culture.

## Section Officers

**Chair:** Mark Sommaruga

**Vice-Chair:** Alexa Millinger

## Programs and Events

We are a small section; so small steps are important steps. During the 2022-2023 bar year, the Media and the Law Section held its first in-person program in several years. Specifically, on April 27, 2023, the Section held a program at Eli's on Whitney in Hamden. The topic/title was "Connecticut's FOIA-Nuts and Bolts and Hot Topics." Our speaker was Colleen Murphy, who is the Executive Director and General Counsel for the Connecticut Freedom of Information Commission. This program covered not only the basics of the Freedom of Information Act's requirements, but also hot topics, and a lively/informal discussion ensued. The program provided CLE credits.

We have discussed having other programs, but they will have to wait until the 2023-24 bar year, as they all are early discussion and planning stages. Such programs may include issues posed by AI, algorithms, student newspaper/press freedom issues, and media training for attorneys.

## Section Communications and Meetings

As Section Chair, I generally communicate with the Section via e-mail and Sidebar.

This year, we held three Section meetings, with two of them being by Zoom video conference. Again, we have a small group, so attendance at our meetings will by its very nature be limited, but we believe that our meetings were productive and worthwhile.

## Other Items

- We need to get people from all perspectives participating in the Section, so the Section has not engaged in any legislative efforts.
- Our efforts have been in trying to build/rebuild the Section and its roster and stature. Our goals for 2022-2023 were to host meetings with lively discussion related to the Section's purview and to plan and host one live/in-person program with CLE credit.
- We need to increase our efforts at 1) enlarging the Section, 2) enlisting younger attorneys who may wish to learn more and increase their stature, and 3) of course, serving the CBA's Diversity, Equity and Inclusion goals by including more female attorneys and attorneys of diverse backgrounds.

# Sports and Entertainment Section

The Sports & Entertainment Section is comprised of a variety of practitioners in private practice and in-house roles. Our members specialize in numerous practice areas which support the sports, arts, entertainment, and media industries. Our section is particularly proud of the relationships we build with law schools across New England and our support of law students that seek jobs in our industries. As a section, we monitor important trends and developments in arts, music, and sports, provide educational opportunities about those topics, and continue to foster strong relationships amongst the attorneys and law students in our state.

## Section Officers

**Chair:** Jordan (Sala) Wheeler

## CLE Programming and Section Meetings

- During the 2022-2023 Bar Year, the Sports & Entertainment Section met virtually holding Executive Committee Meetings and Sections Meetings on the following dates: August 22, 2022; November 7, 2022; December 8, 2022; December 19, 2022; January 23, 2023, February 6, 2023; March 6, 2023; April 3, 2023; and May 22, 2023.
- Throughout the year, the Section reported to its members on legislative developments such as amateur and collegiate athletes monetizing their name, image, and likeness, and the continued emergence of sports betting. As a section we also followed the onslaught of legislation (and case law) regarding transgender athletes of all ages, as well as litigation surrounding music rights.
- At our December meeting, we hosted a 1-hour CLE on Legal Issues in the 2022 FIFA World Cup. Speakers Dan Brody of Robinson & Cole, Professor Rachel Chambers of the UConn School of Business, Paul Tuchmann of Wiggin & Dana, and moderator Hannah Blonshteyn provided a timely and immersive presentation on the issues surrounding Qatar and the 2022 World Cup for 25 attendees.
- The Section also hosted two in-person social events – one at Brewport in Bridgeport, CT, and another at Bar Piña in Hartford, CT.
- Lastly, we're proud to conclude our year by contributing to the Connecticut Legal Conference with a panel discussion about social media influencers and the laws, agencies, and regulations that govern them.

## Officers & Executive Committee

We welcomed two new officers this Bar Year – Hannah Blonshteyn of Wiggin and Dana now serves as the Section Secretary, and Emily Luna of Western New England School of Law serves as the Section's Legislative Liaison.



**Our current list of officers is:**

**Chair:** Jordan Sala, Associate at Garrison, Levin-Epstein, Fitzgerald & Pirrotti, P.C.

**Vice Chair:** John Louizos, Partner at Wofsey, Rosen, Kweskin & Kuriansky.

**Treasurer:** Kaitlyn Hennessey, Intellectual Property Attorney at Subway, Inc.

**Secretary:** Hannah Blonshteyn, Associate at Wiggin and Dana.

**Immediate Past Chair:** Daniel Cooper, Attorney at Cooper & Kurz.

**Legislative Liaison:** Emily Luna, Student at Western New England School of Law.

**Education Liaison:** Alex Mazzella, Director of Business & Legal Affairs, Legal Counsel at Flo Sports.

**Publicity Liaison:** [Open]

**Law Student Liaison:** Sam Gagnon, Student at UConn Law School.

**Our section is also supported by the following Executive Committee Members:**

John Driscoll of Webster Bank; Felice Duffy of Duffy Law; Melanie Dykas of the CT Division of Criminal Justice; Carmina Hirsch of Hirsch Legal, LLC; Brian Smith of Robinson & Cole; Michael Freeman of the Law Offices of Michael Freeman; and George Springer, Jr. of Rogin Nassau.

# Veterans and Military Affairs Section

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

## Section Officers

**Chair:** Dennis M. Carnelli

**Vice Chair:** Joshua Grubaugh

**Secretary:** Emily Trudeau

**Treasurer:** Jason Fragoso

## Meetings

Beginning in September 2022, the VMAS conducted meetings throughout the bar year. The section met more frequently during the legislative session.

Speakers that presented at VMAS meetings:

Professor Eugene Fidell, current legal issues affecting servicemembers and veterans

Deputy Associate Attorney General Rosemarie Weber, partnership between OAG and CBA for inquiries from veterans.

## Legislative Efforts

The Section monitored all state and federal legislation affecting military servicemembers and veterans. It ultimately took a position supporting S.B. No. 1128, *An Act Concerning Certain Property Tax Exemptions for Veterans*, in the Connecticut General Assembly. If enacted, the bill would exempt a single dwelling or two motor vehicles owned by 100% disabled Connecticut veterans from taxation.

## Sub-Committees

The Section's sub-committee on Veterans Treatment Court continued advocating for the Public Defender Services Commission adopt a rule or take other action to disregard veterans disability compensation in determining whether a person meets the income threshold for public defender services.

### **Volunteer Activities**

The VMAS continued its volunteer support for the military and veterans community, including seeking out volunteer attorneys to assist with requests for legal services that come to the Section. In addition, the Section's membership had a stellar showing at the Annual Veterans "Stand Down."

# Women in the Law Section

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.

## **Executive Committee**

**Chair:** Kathryn Bissonnette

**Vice Chair:** Michelle Napoli

**Treasurer:** Brette Fitton

**Secretary:** Robin Schwartz

**Legislative Liaison:** Alexa Millinger

**Diversity Liaison:** Jennifer Wheelock

**Immediate Past Chair:** Garlinck Dumont

## **Section Meetings and Section Activities**

- September 20, 2022: For our first full section meeting of the year, we hosted a zoom event about the case of *CHRO v. Edge Fitness*. Attorney Mario Borelli and Attorney James Shea lead an interesting discussion about their work on the case and its impacts on future cases and potential legislation.
- November 18, 2022: Our second full section meeting featured Professor Victoria Haneman from Creighton University School of Law who spoke on the topic of “Taboos Surrounding Women’s Healthcare”. The presentation unpacked a number of issues related to gender-differentiated hygiene management, including period poverty, treatment of menstruators during the bar exam, and the power of informed consumerism.
- March 2, 2023: The Women in the Law Section and the Young Lawyers Section held their annual Pathways to Leadership for Women Lawyers dinner. We presented Attorney Tanyee “Tan” Cheung with the 2023 Ladder Award, recognizing and honoring her accomplishments in mentoring and supporting young lawyers in their journeys to success in the profession.
- May 2, 2023: Dr. Elizabeth Collins spoke to the section about “Burnout Recovery for Lawyers.” She provided the attendees with tips on how to identify symptoms of burnout and advice on how they could recover from it. Dr. Collins was knowledgeable in her fields of both eastern and biomedicines, and spoke about bringing a sense of balance to our lives and our work as lawyers.

## **Going Forward**

The section hopes to continue bringing interesting and informative CLEs to the bar, focusing on a wealth of topics including challenges that women face in the legal profession, and also highlighting women's successes in the legal profession. We have a goal of expanding our membership involvement in the section and branching out in partnership with other sections to bolster engagement and enthusiasm.

## **Proposed Section Leadership Roster for the 2023/2024 Bar Year**

**Chair:** Michelle Napoli

**Vice Chair:** Alexa Millinger

**Treasurer:** Kathryn Bissonnette

**Secretary:** Elycia Solimene

**Legislative Liaison:** Katie Dickey

**Diversity Liaison:**

**Immediate Past Chair:** Kathryn Bissonnette

# Workers' Compensation Section

The purpose of this Section is to promote the educational and professional objectives of the CBA within the practice area of Workers' Compensation law. The Section shall achieve these purposes by promoting a dialogue among practitioners and compensation commissioners in substantive and procedural aspects of the law, by providing relevant Continuing Legal Education to its members, providing relevant updates to its members of important developments concerning the practice area, fostering discussion of current issues affecting the practice area, promoting the efficient operation and practices beneficial to the workers' compensation system and engaging in legislative advocacy on issues relating to the practice area, in accordance with procedures established by the CBA. To facilitate the Legislative purpose, the Chair shall appoint a Legislative Liaison to work with the CBA.

## **Section Officers**

**Chair:** Donna Civitello

**Vice-Chair:** Robert Bystrowski (resigning as of July 1, 2023)

**Secretary:** Maribeth McGloin

**Treasurer:** Jill Morrissey Rydzik

## **Meetings during 2022-2023 bar year**

Executive Committee meetings have been by Zoom or hybrid in-person/Zoom. We had internet connection problems at our last hybrid meeting and are investigating solutions. Participation in hybrid meetings has been to date approximately one-third attending in person, two-thirds attending by Zoom. Younger members prefer Zoom. Working with venues for hybrid meetings has been challenging. In-person meeting costs have become prohibitively expensive for younger members.

## **Executive Committee meetings:**

September 7, 2022, November 16, 2022, January 18, 2023, April 19, 2023.

## **Section meetings:**

- June 13, 2022 Section meeting at Connecticut Legal Conference
- September 15, 2022 Golf Tournament
- October 6, 2022 Retirement Party for Judge Cohen
- May 7-9, 2023 Nashville Retreat
- May 18, 2023 Throwback Thursday party to meet new Administrative Law Judges and to raise money for CBA FLPSP.

## **CLE**

- June 13, 2022 CLE program at Connecticut Legal Conference, half-day (in -person)
- October 13, 2022 brain injury seminar - full day (in person)
- March 9, 2023, Cannabis Part Two webinar, with Labor Law Section, two hours
- March 23, 2023 Ethics webinar
- May 7-9, 2023 Nashville Retreat - two half-day programs (in person)

The section has been working on programming for additional CLE webinars, and a medical-legal seminar in October, 2023. However, our CLE director Bob Bystrowski has to resign from his position for family reasons and CLE planning is on hold pending our finding a new section vicechair.

## **Compensation Quarterly**

Please see mid-year report filed on February 19, 2023

## **Future Events**

- June 5, 2023 Connecticut Legal Conference
- September 11, 2023 Golf Tournament
- October 2023 Medical-Legal Seminar (date not set)

## **Initiatives**

Please refer to the mid-year report for ongoing programs and initiatives.

### **New initiative: Vocational Expert Working Group**

A sub-committee of the Executive Committee has been working with vocational experts to reduce costs of vocational exams and reports, and to provide more transparency in the vocational evaluation process.

# Young Lawyers Section

The Young Lawyers Section (YLS) has as its primary goals the promotion of justice, the encouragement of public service, and the promotion of diversity and education of young lawyers and newly admitted practitioners. These goals are achieved through the educational, public service, and community programs produced by the section's twenty-plus statewide committees and the nine regional young lawyer organizations in the state. The section also serves a valuable social and networking role in introducing young lawyers to each other and assisting them in their transition into the Connecticut legal practice. The section includes all members of the CBA who are 37 years old or younger or who have been admitted to the Bar for less than six full bar years.

## Section Officers

**Chair:** Christopher Klepps

The Young Lawyers Section (YLS) includes all members of the Connecticut Bar Association (CBA) who are 37 years old or younger or who have been admitted to the Bar for less than 6 full bar years. With over 2,200 members, it is the largest section of the CBA.

The YLS is governed by the YLS Executive Committee. The YLS Executive Committee organizes and participates in continuing legal education (CLE) opportunities, professional networking, and membership activities for young lawyers and their communities throughout the state. This year's Executive Committee consists of 48 members, including 5 officers, 14 Directors, 23 committee chairs, 4 senior advisors, and 2 elected ABA young lawyer representatives. Not included in those numbers are the Section's 4 affinity bar liaisons and law school liaisons. The Executive Committee, through its various positions, hopes to attract and garner long-term member involvement and promote diversity within the CBA.

The YLS held its annual leadership retreat on August 12-13, 2022 at Foxwoods. Justice Alexander of the Connecticut Supreme Court was the keynote speaker, and CBA President Dan Horgan also attended and gave remarks. The leadership retreat focused on planning CLEs and social/networking events for this bar year.

The YLS met monthly to hold business meetings, with most of those meetings being in person. Some business meetings were combined with social or networking programs. For instance, our October meeting was combined with our annual Pro Bono Fair, our December meeting was combined with our annual holiday party at Stony Creek Brewery, and our final meeting will be combined with our year-end event at a Hartford Athletic match on June 3rd.

The YLS held or co-sponsored many social and networking events throughout the year. We held events at the Gastropark in West Hartford, Barcade in New Haven, and a UConn basketball game and Hartford Wolfpack game at the XL Center in Hartford.

We hosted our annual Horn of Plenty fundraiser in November, which raises funds for CT



Foodshare to support those in need during the holiday season. I am happy to report that the YLS eclipsed its fundraising goal of \$1,000 for this event.

Moreover, we hosted events at UConn School of Law and Quinnipiac School of Law where YLS members met with current law students to discuss the importance of networking, the benefits of membership in the YLS and career development. Both events were well attended and served to strengthen our relationship with both schools, which hopefully will lead to increased membership and involvement in the CBA and YLS.

In April, the YLS hosted an event entitled “Diversity in the Pipeline” in Cromwell, which featured a unique discussion from a panel of diverse attorneys on the impact and importance of diversity, equity and inclusion during all stages of a legal career.

The YLS organized a trip to the Supreme Court of the United States on May 25th for a swearing in ceremony. This event is always highly anticipated by the CT bar and registration reached capacity.

Additionally, the YLS will be hosting a Young Lawyers Division Northeast Regional Conference at Mohegan Sun Casino in September 2023. We have secured sponsorships for the event and have put together a panel of engaging speakers. The YLS is looking forward to this event.

Lastly, the YLS has organized numerous CLE programs for the entire bar. Those CLEs included: “An Introduction to the Practice of Criminal Law in Connecticut”; “An Introduction to Insurance Law Through a Construction Lens”; “Tackling Your Tech: Building and Expanding Your Firm Through Technology”; “Essentials of Federal Practice for State Practitioners”; “Data Protection Assessments in the New State Consumer Privacy Laws”; “A Roadmap to Diversionary Programs”; “Confronting Cases with Coercive Control”; “Trademark Due Diligence: A Cautionary Tale”; “Depositions 101”; “Counseling Distressed Businesses: A 7-Year Study of CT Ch. 11 Trends”; and “Workers’ Compensation Liens and Subrogation”.

Planning is now almost complete for our 2023-2024 Annual Leadership Retreat where we will begin training and planning for the next bar year.

The YLS had a very successful year. Our members were engaged, we organized numerous CLE and networking events for members of the bar, and we made significant inroads with the students at both UConn and Quinnipiac law schools.

# Civics Education Committee

The Civics Education Committee is charged with the advancement of citizen knowledge and understanding of government, with an emphasis on educating young students and teachers.

## **Section Officers**

### **Co-Chairs:**

Jonathan Weiner

Scott Garosshen

The Civics Education Committee continued its work on a variety of programmatic and public policy fronts, including organizing the annual Law Day program, transitioning to a leadership role sponsoring the Connecticut High School and Middle School Mock Trial Competitions, and working collaboratively with other major governmental and non-governmental organizations that provide civics education opportunities around the state.

As always, our major program was the CBA's Annual Law Day celebration, which was held on Friday, May 5, 2023, at the Appellate Court in Hartford. This year's Law Day theme was: "Civics, Civility, and Collaboration: The Cornerstones of American Democracy." The program began with welcoming remarks from Chief Judge William Bright and CBA President Dan Horgan, and was followed by one of our now-traditional interactive Law Day exercises, "A Dialogue Between the Generations: Facilitated Discussions of Three Cases with Student Panelists from Classical Magnet School." In this exercise, Superior Court Judge (ret.) Leeland Cole-Chu and Past President Livia DeFilippis Barndollar, with the enthusiastic support of the Appellate Court panel, led twelve of Jeffrey Hoberman's history and mock trial students from Classical Magnet School in discussions about three case scenarios intended to test their ability to reach consensus about controversial issues. The first, "A Modest Debate at School; The Student Conduct Policy," concerned the drafting of an anti-bullying and harassment policy. The second, "Can You Believe This? The Case of the Meriden Mosque," explored an illegal action committed by a Connecticut Marine Corps veteran in response to a series of terrorist attacks in Paris in 2015, his subsequent incarceration, regret over his actions, and the evolution of his views about Islam. The third, "Are There Problems Without Solutions? The Case of Snyder v. Phelps," considered several different questions regarding the story of a lawsuit filed against the Westboro Baptist Church over the church's picketing of the funeral of Marine Lance Corporal Matthew Snyder, who was killed in Iraq in the line of duty. The committee extends special gratitude to committee members Superior Court Judge (ret.) John Boland and John Weikart for their excellent work in drafting the scenarios and preparing the students for the day. Continuing the CBA's excellent working relationship with her office, newly-elected Secretary of the State Stephanie Thomas attended Law Day and organized the annual Law Day Luncheon at the Capitol to follow the ceremony; Secretary Thomas graciously hosted a Q/A session with the participating students from Classical Magnet in our Capitol Office before the luncheon. The committee is grateful to CBA staff member Ashleigh Morelli for all of her work supporting this annual event.

In 2022, the CBA established the Ralph J. Monaco Memorial Civics Education Award, which recognizes the legacy of CBA Past President Ralph Monaco. Ralph made advancing civics education a cornerstone of his bar leadership activities, continuing for many years after his CBA presidency as chair of our committee. The Ralph J. Monaco Memorial Civics Education Award is presented at the CBA Law Day ceremony to honor high school student leaders who have demonstrated a significant commitment to advancing civic engagement, civics education, or the rule of law. This year, members of the Ralph J. Monaco Memorial Civics Education Award committee, in particular Ralph's wife, Dina Monaco, Past President Livia DeFilippis Barndollar, Lawrence Morizio, and Civics Education Chair Jonathan Weiner, presented the second annual class of scholarship prizes to three extraordinary student leaders. The second annual class of Monaco Award winners are: William Barry from Lyme-Old Lyme High School, Isabella Saraco from Mercy High School in Middletown, and Jay Zimmermann from Waterford High School. Beyond the now-annual award, memories of Ralph and his extraordinary friendship and dedication continue to inspire the work of the committee.

Beyond Law Day, the CBA Civics Education Committee is transitioning to a leadership/sponsorship role for the Civics First High School and Middle School Mock Trial Competitions. All competitions were held in-person this year, with the generous support of the Judicial Branch, which welcomed hundreds of students and their supporters to courthouses around the state. The high school competition required teams to try both sides of *Swift v. Smythe*, an election challenge case raising very timely issues concerning voting rights and civic engagement by young people. Forty-six high school teams competed from across Connecticut, with local competitions in Danbury, Hartford, Middletown, New Britain, Norwalk, and Waterbury, culminating in a playoff tournament held in Bridgeport, New Britain and Middletown. The finalists were Fairfield Ludlowe High School and Lyme-Old Lyme High School, with Lyme-Old Lyme High School emerging as the state champion following the championship round before the Connecticut Supreme Court. Twenty-two teams, many of whom were new to the competition, competed at the middle school level, with local competitions in West Hartford and Wallingford progressing to a playoff tournament in Hartford. Middle school students tried both sides of *State v. Bigelow*, a criminal case in which the defendant is charged with breaking into a middle school, vandalizing the computer room, and accessing the school's grading system to change their grade. The finalists were Timothy Edwards Middle School (South Windsor) and James H. Moran Middle School (Wallingford), with James H. Moran Middle School declared the state champion after the final round in the Appellate Court. Dozens of attorneys, judges, and law students from across the state participated as volunteer judges, and the program was overseen by a committee coordinated by Civics Education Chair Jonathan Weiner, and including Jeanine Dumont, U.S. Administrative Law Judge Joyce Krutick Craig, Lisa Maurer, and Appellate Court Judge Hope Seeley, who was lead drafter of the problems at both levels. Special thanks to CBA staff member Natalia Belletiere for coordinating volunteer registration.

Finally, members of the Civics Education Committee actively continued their other efforts to promote education about law and government in schools around Connecticut, by serving as organizers and judges for the Civics First debate program, and visiting schools, some via participation in the Young Lawyers Section's Lawyers in the Classroom program, which is now a cooperative venture with the Judicial Branch's Civics Academy. The committee recognizes CBA members Scott Garosshen, Leland Moore, Kean Zimmerman, and teacher consultant Jessica Green for their continued leadership of that program on behalf of the CBA, along with Attorney Melissa Farley and Alison Chandler from the Judicial Branch, for all of their outstanding efforts

to promote the Civics Academy. The committee also recognizes Lawrence Morizio for his lead role in continuing to revitalize the Constitution Day curricula for use by volunteer attorneys and law students in visiting classrooms during the month of September, which will be incorporated into the Civics Academy/Lawyers in the Classroom programs.

The Civics Education Committee was very active in the legislative and public policy arena during the 2022-2023 bar year. The committee continued to advance the CBA's support for proposed legislation, originally raised as House Bill No. 6760 and later incorporated into House Bill No. 6762, § 6, which would commission the "Connecticut Civics Education, Civics Engagement and Media Literacy Task Force" to study those topics in Connecticut. House Bill No. 6762, § 6 is different from previous task force proposals because its focus is broader than the K-12 curriculum and includes broader efforts by governmental and nongovernmental organizations to foster civic and community engagement; it received significant support from a variety of organizations and government agencies, including the Office of the Secretary of State, the Judicial Branch, the Connecticut Democracy Center, Connecticut Humanities, and the Hate Crimes Advisory Council. At the end of the 2023 legislative session, House Bill No. 6762 was passed by both houses of the General Assembly, and currently awaits the Governor's signature.

The Civics Education Committee is also leading efforts to change the rules of practice to permit attorneys to obtain Minimum Continuing Legal Education ("MCLE") credit for judging high school mock trials. After obtaining House of Delegates support for an association position in support of a change to Practice Book § 2-27A to provide MCLE credit for judging high school mock trial, the committee filed a proposal with the Rules Committee of the Superior Court. That proposal remains pending following referral of two drafts of the rule to the MCLE Commission for its review and comment. The Civics Education Committee will continue to support the proposed rules change when the Rules Committee reconvenes in the Fall, 2023.

# Connecticut Bar Journal

## Board of Editors

The CONNECTICUT BAR JOURNAL, produced by a Board of Editors, is the official publication of the Connecticut Bar Association. Its mandated content includes Formal Opinions of the Committee on Professional Ethics and the Committee on the Unauthorized Practice of Law. For the most part, the JOURNAL consists of scholarly articles of interest to the Bar.

### Section Officers

**Chair:** James H. Lee, Editor in Chief

On April 26, 1926 the Annual Meeting of the Connecticut Bar Association passed a resolution that “the President of the Association appoint a Special Committee of five members to consider the advisability of publishing[,] with the power to publish if they deem it wise to do so, a quarterly bulletin or journal of the State Bar Association.” In June of that year, President Terrence F. Carmody appointed the five-member panel; it published the first issue of the CONNECTICUT BAR JOURNAL in January of 1927.

Since the 2019-20 Bar year, the JOURNAL has published regular annual surveys of appellate, tort and business litigation, estate and probate law, tax law, and professional responsibility. Recent issues have included a decennial survey of developments in family law, a detailed survey of criminal law opinions, developments in labor and employment law and in international law, a trio of articles on civil procedure concerning costs and witness fees, postjudgment interest and offers of compromise, a retrospective on the tenure of Justice Richard Palmer, and five book reviews.

The JOURNAL is available as a member benefit both online and in print. Beginning a decade ago, it has been offered to members and subscribers as a digital publication, via email. The first digital issue was Volume 86, Number 1. Starting in the 2013-14 Bar year, articles have been posted on the CBA website’s JOURNAL page as they are completed, linked to the CBA Weekly Docket, and subsequently combined into full traditional issues.

The Board has met once by Zoom, but not in person, since the beginning of the pandemic. Our first in-person meeting in three years is set for June.

# Presidential Fellows Committee

The Civics Education Committee is charged with the advancement of citizen knowledge and understanding of government, with an emphasis on educating young students and teachers.

## Section Officers

**Chair:** Bridget C. Gallagher

The Committee selected two (2) new Presidential Fellows for the 2023-2024 term:

- Shanique D. Fenlator
- Allison Kaas

## Committee activities/meetings

- **October 5, 2022:**  
The Committee met via Zoom to review the applications and select the 2023-2024 Presidential Fellows. Discussion held regarding past event and suggestions for future events and promoting the program.
- **December 8, 2022:**  
Dinner and welcome reception held for new Presidential Fellows at the Grassy Hill County Club in Orange. A panel discussion was held with leaders of the bar, including two past Fellows. Panel included the Honorable Judge Cecil J. Thomas, Amy Lin Meyerson, Kyle LaBuff, Cody Guarnieri and Emily Gianquinto. Program was approved for 1 hour CLE credit.
- **April 4, 2023:**  
Nationally acclaimed speaker Kaplan Mobray presented at an in-person event held in the morning at CBA headquarters. Program title: What Makes You Indispensable? Managing Your Personal Brand to Elevate Your Career. All current and past Presidential Fellows were invited, along with the current Presidential Fellow Committee Members. The presentation was lively and well received. Mr. Mobray provided all attendees with complimentary copies of his book “The 10Ks of Personal Branding”.
- **May 23, 2023:**  
Leadership event held via Zoom: Program Title: “Effective Leadership Strategies: Inspiring your Team during Good Times and Bad” Program speakers: Rhonda Tobin, Diedre Daley, Ken Slater and Maggie Castinado. Class of 2020, 2021 and 2022 Presidential Fellows invited. The program was approved for 1.5 hours of CLE credit, of which 0.5 hours counted as an ethics credit.

# Privacy and Cybersecurity Committee

The mission of the Privacy and Cybersecurity Committee is to educate CBA members on: (1) the ever-growing risks that lawyers and law firms face from cybercrime, phishing, data breaches, fraudulent wire transfers and other common types of cyber-wrongdoing and cyber-incidents; (2) on the growing and evolving body of data privacy laws; and (3) the use of technologies and virtual platforms to increase access to justice, improve business operations and mitigate cybersecurity and data privacy risks. The committee analyzes how such issues can impact solo practitioners as well as lawyers practicing at small, medium, and large law firms, including the ethical canons governing lawyers as they relate to cybersecurity, privacy, and technology and how lawyers can meet existing and emerging legal obligations and client expectations in this area.

## Section Officers

### Co-Chairs:

Dena M. Castricone

Tara Trifon

## Committee Meetings

Generally, the committee held meetings every other month on the third Thursday. The March meeting was cancelled because the committee cosponsored a program near the date of the planned meeting.

Meetings dates were:

- September 8, 2022 – The committee discussed the Young Lawyer’s Section as a possible co-sponsor for the spring 2023 educational program on the CT Data Privacy Act. The group tossed out ideas and potential dates for the program. Created a program subcommittee of Dena, Tara, Kyle and Mark.
- October 19, 2022 – Subcommittee meeting to discuss details of the CT DPA program to be scheduled in spring of 2023.
- November 17, 2022 - We finalized the date for the March 1, 2023 program and outlined the details of the program including speakers. We also discussed submitting a proposal for the Connecticut Legal Conference. The group discussed a joint program with the Business Law section (e.g., how to present data privacy issues to the board, fiduciary duties, etc.).
- January 12, 2023 - The committee finalized details for the March 1st event.
- March 9, 2023 - Cancelled due to March 1st event.
- May 18, 2023 - We discussed the upcoming program at the Connecticut Legal Conference in collaboration with the Business Law section. We also discussed programs for the fall and the finalization of this Annual Report.



## CLE Programs

The committee organized two CLE programs between June 2022 and May 2023. Further, it is organizing a session for the Connecticut Legal Conference in cooperation with the Business Law Section.

- ***CLE Seminar: The New Connecticut Data Privacy Act (March 1, 2023)***

Connecticut was the fifth state in the country to pass comprehensive privacy legislation. It is set to take effect on July 1, 2023. During this session, we will explore who is subject to the law and who is exempt; review business obligations and consumer rights; discuss enforcement of the Act; and compare the CTDPA to the privacy laws in California and Europe.

**Speakers:**

**Michele Lucan**, Assistant Attorney General

**Dena Castricone**, DMC Law, LLC

**Alex Cox**, Locke Lord LLP

**Tara Trifon**, Locke Lord LLP (moderator)

- ***CLC Session: The New CT Consumer Data Privacy Law: Important Considerations for Business Lawyers***

This program will provide an overview of the CT Data Privacy Act, set to take effect on July 1, 2023, with an emphasis on business obligations under the Act and how they interact with other duties and obligations. Further, we will consider strategies for compliance and address coordinating compliance efforts with laws in other jurisdictions.

**Speakers:**

**Michele Lucan**, Assistant Attorney General, Head of Data Privacy Unit

**Kenneth B. Lerman**, Kenneth B. Lerman, PC

**Tara L. Trifon**, Locke Lord LLP

**Russell F. Anderson**, Pullman & Comley LLC

## Other Initiatives

### *Name Change.*

On Sept. 19, 2022, Dena M. Castricone appeared before the Board of Governors to request a name change for the committee from the Cybersecurity and Technology Committee to the Privacy and Cybersecurity Committee. Dena outlined the focus on privacy and the growing body of privacy law. The Board agreed and granted the request.

### *Educate on New Consumer Data Privacy Law.*

Connecticut's consumer data privacy law takes effect on July 1, 2023. Connecticut became the fifth state to pass comprehensive consumer data privacy legislation (PA 22-15). There will be a big learning curve for lawyers and clients. The committee will continue to focus efforts on programs to educate on the subject.

### *Vendor Due Diligence Guidance.*

The committee previously put together Vendor Due Diligence Guidance, which has been underutilized. As detailed in previous annual reports, the committee prepared and published a list of considerations that lawyers and law firms can use as guidance when selecting a vendor,



including cyber and technology related vendors. Although all firms should create a vendor due diligence questionnaire tailored to meet the firm's specific needs, this guidance provided a sample of some basic, broadly applicable vendor due diligence questions. We released this guidance document just before the pandemic and fear that it got lost in the chaos. The group will work to find ways to share this and other resources with members.

# Professionalism Committee

The mission of the Connecticut Bar Association Professionalism Committee is to enhance the level of professionalism among lawyers and judges and to promote their commitment to the Lawyers' Principles of Professionalism (adopted by the Connecticut Bar Association House of Delegates on June 6, 1994) (Principles). The Committee rewrote the Principles in 2020 which were then approved by the CBA House of Delegates. Our principal objectives are to 1) encourage, recommend, and provide assistance to CBA Committees and Sections in the development and coordination of professionalism initiatives according to the Principles; 2) encourage and provide assistance to local bar associations, law schools, and the judiciary in their efforts to improve professionalism as articulated by the Principles; and 3) educate members of the legal profession and the public about the Principles.

## Section Officers

### Co-Chair:

Hon. Omar A. Williams  
James T. Shearin

The Professionalism Committee also organizes the annual Professionalism Symposium; identifies and selects the recipient of the Edward F. Hennessey Professionalism Award. This year, the Committee nominated the Honorable Terrance Zemetis (Ret.) to receive the Edward F. Hennessey Professionalism Award. His nomination read as follows:

Following his education (UConn 1974 Cum Laude BA; Albany Law 1977 JD), Terry Zemetis was a trial attorney for over 30 years with Delaney & Zemetis, P.C., before his appointment as a Superior Court Judge. He served as judge until 2018, with four terms on the Complex Civil Litigation docket. Since then, he has resolved countless cases as a mediator/arbitrator, known especially for successfully handling seemingly unresolvable matters. His success at helping others succeed is based upon thoughtful use of his experience trying hundreds of cases, before he then presided over hundreds more trials. His exemplary professionalism, however, is not only reflected in his role in the trenches, but in his willingness to share with the bar. For over 35 years, he has always said “yes.” From joining the “stars of the bar” faculty that taught evidence to the CBA using skits to demonstrate how to get in or keep out the “10 most wanted” pieces of evidence, from the 80’s through the 90’s, he continued by serving as a judge for UConn Trial Advocacy Classes for decades. Judge Zemetis has taught us all by his example, showing the importance of respect, humility, and preparation, which helps others make their own advocacy more effective while elevating the entire profession.

The Committee has also worked with the Hartford and New Haven County Bar Associations in their effort to implement a mentoring program. His nomination read as follows: Newly admitted lawyers seeking a mentor are paired with a more senior members of the bar and they interact for a fully year. David Case in Hartford and Dean Brad Sexton in New Haven co-chair this program. This year we encouraged the other regional and affinity bars to adopt the program.

The third annual Professionalism Boot Camp was remotely presented on December 2, 2022. This program was designed so that newly admitted lawyers could master the skills needed to practice more effectively and ethically. The programs included topics such as “Common Mistakes that Can Land You in Hot Water With the Grievance Committee,” “Creating a Small 21st-Century Law Office,” “Networking and Marketing,” “Client Intake Agreements,” and “Data Privacy.”

The Professionalism Symposium is the capstone event of the Professionalism Committee. In its 18th year in 2022, the program was a collaborative effort with the Greater Waterbury and Litchfield/Torrington Bar Associations. The half-day program, held at the Superior Courthouse in Waterbury, included both plenary and breakout sessions which focused on specific practice areas while stressing the importance of professionalism, civility and ethics. This program always enjoys the full support of the bench and bar with the judicial branch permitting the use of its courthouse and suspending the normal dockets so that lawyers and judges can participate.

The committee meets four times per year by phone and person in New Britain.

# Standing Committee on Standards of Title

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

## Section Officers

**Chair:** Ellen L. Sostman, Esq.

The Committee met through a combination of in-person and virtual meetings in September, October and December 2022, and virtually in January, February, March and April 2023, with a final meeting scheduled in-person for May 2023. It continues to work with the CBA to update the online Standards and the index, and to improve the ability of real estate practitioners to identify new Standards and revisions to existing Standards by adding effective dates and revision dates to the individual Standards along with the Index, as needed.

At our first meeting in September, 2022, we welcomed a new member, Attorney Meghan E. Smith. As a solo practitioner in a general law practice in Tolland and our first member from Tolland County, Attorney Smith brings an important new perspective to the work of the Committee.

At that meeting, the Committee also finalized and approved the revisions to Standard 16.2, effective September 13, 2022, and in December, completed and approved the revisions to Standard 16.1, effective December 6, 2022.

In 2022, the Connecticut legislature enacted P.A. 22-136 which was signed into law on May 27, 2022. Effective on passage, the Act, among other things, terminated the Succession Tax lien for estates of decedents who died prior to January 1, 2005 and enacted a ten-year limit on Estate Tax liens for decedents dying on or after January 1, 2006, except, in both cases, for estates where a tax return was filed or a tax assessment was made. Accordingly, the Standards Committee undertook revisions to Standards 23.1, 23.2 and 23.3. Revisions to Standards 23.1 and 23.2 were approved by the Committee effective March 28, 2023, and Standard 23.3, approved by the Board of Governors on November 14, 2022, was revised effective April 19, 2023.

The Committee is presently working on a revision to Standard 13.11, Lien For Probate Court Fees to reflect amendments made to CGS Sec. 45a-107b by the provisions of P.A. 22-136, Section 1.

Denis R. Caron, Immediate Past Chair  
Michael J. Caron  
Gregory P. Muccilli  
James E. Rice  
Edward M. Rosenblatt  
Michael W. Sheehan  
Meghan Smith  
Ellen L. Sostman, Chair  
William C. Stokesbury  
Nancy L. Walkley

# Standing Committee for Workers' Compensation Certification Examining Committee

The Workers' Compensation Certification Examining Committee administers the application process and the certification examination. The chair of the Standing Committee on Workers' Compensation Certification appoints members to the Examining Committee. The Examining Committee must include 1) at least one member of the Standing Committee, 2) an experienced practitioner with substantial involvement in the area of workers' compensation law, 3) an individual experienced in the administration and operation of the program which certified lawyers as workers' compensation specialists, 4) an individual experienced in educational testing and measurements who holds at least a master's degree in the field, and 5) a current faculty member of an ABA accredited law school knowledgeable in the area of workers' compensation or a workers' compensation commissioner.

## **Section Officers**

**Chair:** Diane Duhamel

The Committee administers the Board Certification Examination every two years. It administered an exam in 2022 and thus it does not plan to administer an exam until 2024. Attorneys Katherine Dudack and Benjamin Pomerantz successfully completed the 2022 examination process to become certified workers' compensation specialists. In 2022, Attorney Douglas Drayton and Attorney Donna Civitello stepped down from the Examining Committee after almost 20 years of service. We want to thank them for all they did over the years as members of the Examining Committee. Attorney Colin Mahon and Attorney Katherine Dudack have been appointed as the newest members of the Examining Committee. Attorney Brian Smith resigned as chair of the Standing Committee in 2022 and Attorney Charlene Russo has been appointed as the new chair of the Standing Committee. Many thanks to Brian for his work as the Standing Committee chair. Attorney Melissa Murello is the newly appointed member of the Standing Committee. Information regarding the 2024 workers' compensation certification exam will be available in December.

# Unauthorized Practice of Law Committee

The Unauthorized Practice of Law Committee (UPL Committee) receives inquiries and complaints regarding various UPL issues from admitted Connecticut attorneys and attorneys admitted in other jurisdictions, as well as others not admitted to the practice of law. Complaints are referred to the Office of the Chief Disciplinary Counsel when appropriate.

## Section Officers

**Chair:** J. Paul Vance Jr.

Since the United States Supreme Court issued its decision in *North Carolina State Board of Dental Examiners v. Federal Trade Commission*, 574 U.S. 494 (2015), the Unauthorized Practice of Law Committee (the “UPL Committee”) has substantially modified its activities to avoid any conflict with or exposure under the North Carolina decision. An appropriate disclaimer has been added to the CBA UPL website and the Committee has refrained from issuing any informal or formal opinions. While some requests have been received from in-state and out of state attorneys, and others not admitted to the practice of law in Connecticut, the UPL Committee has referred those inquiries to the Office of the Chief Disciplinary Counsel for response or action. In addition to the antitrust concerns expressed in the North Carolina decision, the UPL Committee is also keenly aware of the fact that Conn. Gen. Stat. § 51-88 has raised the unauthorized practice of law in Connecticut to a felony. The Committee is concerned about providing guidance or an opinion regarding a factual situation, which is relied upon by the person requesting the advice, which may be ultimately determined to constitute the unauthorized practice of law in Connecticut by a court or other authority, and therefore becomes a felony. As a result of these concerns, the UPL Committee has basically refrained from providing any advice or guidance.

In an effort to begin to solve for the above concerns, an informal exploration was undertaken by the UPL Committee to determine whether other states were similarly situated to Connecticut regarding the issuance of UPL and enforcement. In 2022, select members of the UPL Committee met with the American Bar Association as well as the Deputy Bar Counsel of Kentucky. Also in 2022, select members also met with Chief Justice Richard A. Robinson. Throughout 2022 and into 2023, additional meetings and correspondence were had with members of the Connecticut Judicial Branch and its Legal Services division. While every individual was familiar with the issues presented, nothing fruitful has resulted from any meetings or numerous communications.

Despite the foregoing, the UPL Committee feels strongly that the work of the UPL Committee is a substantial benefit to members of the Connecticut Bar, to CBA members and to lawyers and others who are using their best efforts to avoid the unauthorized practice of law in Connecticut. The UPL Committee had traditionally been a resource for those individuals regarding what does or does not constitute the unauthorized practice of law in Connecticut. It is also noted

that the UPL Committee, along with the Standing Committee on Professional Ethics, are the only constitutional committees specifically established in the CBA constitution. Therefore, in an effort to create a North Carolina compliant UPL Committee, and a committee that is able to provide reliable information and guidance regarding the unauthorized practice of law in Connecticut, the UPL Committee, through the leadership of the CBA, has reached out to the Judicial Branch, given the fact that the practice of law and attorneys in Connecticut are clearly governed by the Judicial Branch of government, to determine if a compliant North Carolina UPL Committee can in fact be created. Those discussions are ongoing, although there are certain challenges that must be overcome, including those expressed by representatives of the Judicial Branch.