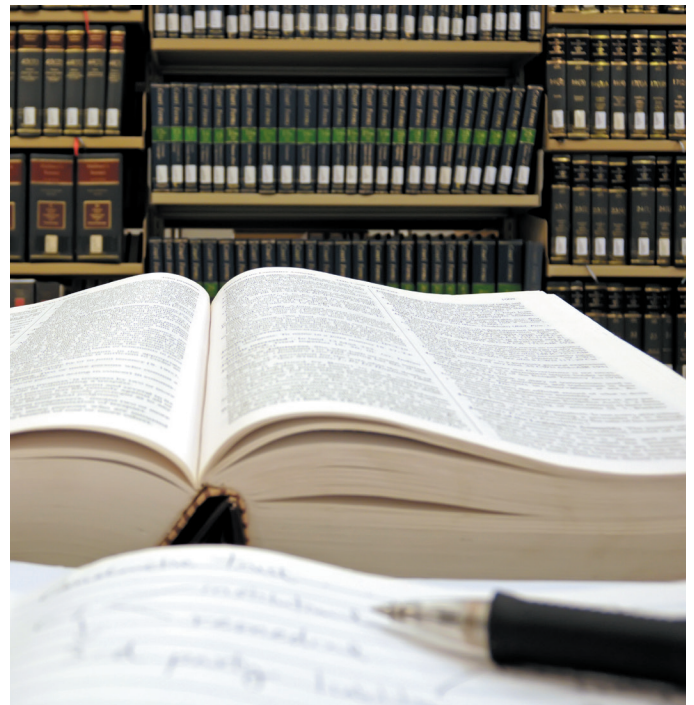


## CBA Legal Research and Writers Community List

By DAVID A. ROBINSON

**N**eed a legal research or writing assistant? The Connecticut Bar Association now has a Legal Researchers and Writers Community List, accessible at [ctbar.org/LegalResearchAndWritersCommunity](http://ctbar.org/LegalResearchAndWritersCommunity). CBA attorney members are invited to join and use the Legal Researchers and Writers Community list, which is a resource available exclusively to CBA members. The list aims to build community by connecting attorney members who need research and writing assistance with CBA attorney members who can provide those legal services. The legal research and writing projects may be for compensation as negotiated between CBA lawyer list members. The list provides a way for lawyers to gain valuable experience and compensation for helping other lawyers with legal research and/or writing projects.

One difficulty as a solo or small firm practitioner is that you often don't have an associate available for legal research and writing. You must do legal research and writing yourself. Some solo and small firm practitioners enjoy doing legal research and writing. Others don't. Some enjoy it but don't have the time to do it as meticulously as they'd like. At the same time, some solo and small firm practitioners love doing legal research and writing. They love doing it for their own clients and would love doing it on a freelance basis (as an independent contractor, not an employee) for other lawyers who want it done. Such research/writing can be for an hour (e.g., a short legal document), 10 hours (e.g., a brief), 100 hours (e.g., second-chair in a trial), or however long or short is needed. A lawyer on the Legal Research and Writers Community List—we can call that lawyer the researcher/writer—would charge whatever is agreed upon with the lawyer who requests the legal research and writing. As with any type of law practice, different lawyers



charge different fees. Lawyers on the list can, if they choose to, list their fees, areas of practice, law school attended, years of experience, and other biographical information.

Some researchers/writers may charge a sliding scale depending on the other lawyer's ability to pay. Or, depending on circumstances, the researcher/writer may charge a flat fee for a research/writing assignment. A researcher/writer may be willing to charge a contingent fee. If the researcher/writer is doing research/writing for a lawyer who is representing a plaintiff in a personal injury case, the researcher/writer may be willing

■ The CBA is not recommending, endorsing, or "vouching for" the lawyers on this Legal Researchers and Writers Community list, nor is the CBA evaluating, qualifying, or verifying the capabilities of the lawyers, or the quality, or accuracy of the work of the lawyers on the list, or verifying the information they provide through the list. The CBA is simply acting as a conduit or portal by providing a forum for lawyers who have expressed a desire to receive compensation for performing legal research and writing for other lawyers. The CBA is not providing any of the legal services or legal research services, and is not a party to the relationship between the lawyers or legal work. Any fee negotiations and agreements are between the researching attorney and the attorney seeking your legal services. Please see Conn. R. Prof. Conduct 1.1 (Commentary: Retaining or Contracting with Other Lawyers). Any lawyer placing themselves on the list and any lawyer contracting with a lawyer from the list for performance of legal research or writing agree to hold the CBA harmless from any and all legal claims which may arise from the use of the list and resultant legal services performed.

to accept, instead of an hourly fee, a percentage of the fee the plaintiff's lawyer eventually collects (for example, one-third of the one-third that the plaintiff's lawyer collects).

Another way to describe the relationship is "wholesale lawyer" and "retail lawyer." The researcher/writer is the wholesale lawyer. The wholesale lawyer provides service to the retail lawyer, who in turn provides service to the end user: the client. When I practiced law in Massachusetts from 1977 to 2008, I did research and writing for other lawyers and represented some clients myself. I called my research/writing for other lawyers my *wholesale* law practice and my representation of my own clients my retail law practice. I moved to Connecticut, was admitted to the Connecticut Bar, and taught for many years at the University of New Haven. When my job at the university ended, I began doing legal research and writing for Connecticut lawyers. One of them is solo practitioner, Ken Lerman, current vice chair of the CBA Business Law Section, who I developed the concept of the Legal Research and Writers List and community with. We proposed it to the CBA, and the CBA adopted it.

In "wholesale" as well as "retail" law practice, ethical issues can arise. Both the wholesale and retail lawyer must avoid conflicts of interest and preserve confidentiality of clients. They

must read and follow Conn. R. Prof. Conduct 1.1 (Commentary: Retaining or Contracting with Other Lawyers). The Rule 1.1 comment provides some guidance on whether the retail lawyer needs to disclose to the client that a wholesale lawyer is helping the retail lawyer. Whether and how much the retail lawyer charges the client for the wholesale lawyer's services is something the retail lawyer must think about and, depending on circumstances, discuss with the client. Some courts frown on or even prohibit a lawyer's ghostwriting for a *pro se non-lawyer client* but few, if any, courts frown on a lawyer's ghostwriting for another lawyer. The retail lawyer—the lawyer who actually signs the document—is, of course, responsible for the document.

I encourage CBA lawyer members to sign up to be on the list (be available to do legal research/writing for other lawyers) or to utilize the services of lawyers on the list. Whether you are a solo and small-firm lawyer, from large and medium-sized firms, or in-house counsel, all are welcome to be on and/or utilize the list. ■

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*David A. Robinson is a solo practitioner in North Haven. He practiced in Massachusetts from 1977 to 2008. He earned his JD in 1977 from Washington University in St. Louis.*



The advertisement features a white central text area framed by a decorative border of orange and white triangles. At the top center is the Connecticut Bar Association logo, which includes a stylized arch over the text "Connecticut Bar Association".

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**Summer Family BBQ**

Outdoor Games and Activities  
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**Sunday, June 27 | 11:00 a.m. to 5:00 p.m.**  
**Holiday Hill | 43 Candee Rd, Prospect, CT**

**\$10 Adults | \$5 Children (3-11 y/o)**  
Registration is required and no walk-ins will be allowed.

Learn more and register online at [ctbar.org/BBQ](http://ctbar.org/BBQ)



The advertisement is enclosed in a black rectangular border. It features the name "ALAN BUDKOFSKY" in a small blue font above the company name "BUDKOFSKY APPRAISAL CO." in a large, bold, blue font. Below this, it lists "Certified General Real Estate Appraiser" and "RESIDENTIAL · COMMERCIAL · EXPERT WITNESS". The address "ONE REGENCY DRIVE, SUITE 109, BLOOMFIELD, CT 06002" is provided, along with contact information: "E-Mail [Budappraisal@hotmail.com](mailto:Budappraisal@hotmail.com)", "Phone 860-243-0007", and the website "www.BudkofskyAppraisal.com".

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