

# Matching Ideals and Commitment with Time and Opportunity: Pro Bono Engagement through the Connecticut Bar Association

By CECIL J. THOMAS

**E**ach of us has that never-ending to-do list, perhaps categorized by the immediate, the short-term, the long-term, the ongoing, and the aspirational. Time is a constant consideration and source of pressure for lawyers: the professional accounting and billing of time, the demands of our clients upon our time; time deadlines set by law or by court rule; the balancing of time that all of us must do to meet our personal, social, and familial obligations; and the time necessary for wellness, self-care, and restoration.

Amidst all of these and the many other demands on our time, lies our ethical obligation to provide pro bono legal representation to those who are unable to afford it. Connecticut Rule of Professional Conduct 6.1 states that “[a] lawyer should render public interest legal service.” The Commentary to Rule 6.1 reminds us that “[t]he basic responsibility for providing legal services for those unable to pay ultimately rests upon the individual lawyer... Every lawyer, regardless of professional prominence or professional workload, should find time to participate in or otherwise support the provision of legal services to the disadvantaged.”<sup>1</sup> Of course, many of our personal and professional obligations require us to “find time,” and doing so for the provision of pro bono legal representation can be challenging. At the same time, our ethical obligation to provide pro bono legal representation to the disadvantaged is more important now than ever, as the economic impact of the COVID-19 pandemic widens an ever-growing access to justice gap.



The Commentary to Rule 6.1 also wisely reminds us that “personal involvement in the problems of the disadvantaged can be one of the most rewarding experiences in the life of a lawyer.” While the press of time may make prioritization of pro bono legal representation difficult, the time that you find and make available for this work is vital and incredibly impactful. Our civil legal access to justice crisis is greatest in those areas that affect fundamental matters of personal concern: housing security, family relations and safety, income protection and maintenance, education access, and immigration status. In these critical legal controversies, there is often an imbalance of power between the parties, forcing a financially disadvantaged or otherwise vulnerable individual to litigate, without the assistance of counsel, against a party with far greater resources. Pro bono legal representation is then an essential protection against the destabilizing and devastating effects of homelessness, domestic violence, family breakup, loss of subsistence income, educational inequity, or loss of immigration status. Lawyers standing in that breach, without

any thought to compensation or reward, represent our profession at its best.

The CBA Pro Bono Committee is tasked with supporting pro bono engagement and offers a variety of pro bono volunteer programs and opportunities, designed to match your commitment and available time with an appropriate opportunity. Whether you have one hour or 20, there is a CBA program designed to support your participation in pro bono service. We hope you will consider participating in all of them.

## CT Free Legal Answers

*(Advice and counsel; estimated time commitment of 30 minutes to one hour)*

CT Free Legal Answers is a collaborative project of the American Bar Association and Connecticut Bar Association. Low-income individuals are screened for income eligibility through an online portal, and may then privately post a question there, in topics ranging from family law, probate matters, bankruptcy, consumer issues, education, employment, housing, workers’

compensation, wills, and estate planning. Attorneys may sign up to volunteer for CT Free Legal Answers at [ctbar.org/CT-FreeLegalAnswers](http://ctbar.org/CT-FreeLegalAnswers). You will then be able to access submitted questions, preview them to select the questions that you are comfortable answering, and submit responses anonymously or ask additional questions, within the Free Legal Answers portal. The CT Free Legal Answers platform allows you to save drafts of responses if you are interrupted or need more time, mark responses “closed” when you have provided all available information, and track the amount of time that you have spent answering questions. Once you are registered through CT Free Legal Answers, you can log in at your leisure to review and respond to questions, according to your availability. This is the perfect pro bono opportunity for your “spare” time, allowing you complete control over how many questions you choose to answer, and how often you participate.

### **CBA Virtual Pro Bono Legal Clinics**

*(Advice and counsel; estimated time commitment of 30 minutes to an hour)*

Prefer a brief pro bono opportunity with real-time interaction? Consider participating as an attorney, paralegal, or law student volunteer during our Virtual Pro Bono Legal Clinics. Applicants to the clinics are able to sign up directly, or be referred by Statewide Legal Services, to obtain legal assistance in matters such as housing, family, and consumer law. Once registered, paralegal and law student volunteers work with the applicant to gather more information and complete the intake and referral documentation. The applicant is then matched with an attorney for a 30-minute advice consultation, scheduled virtually through the CBA’s Zoom™ account. Volunteer attorneys can sign up for as many advice consultations as they prefer, in the topics of their prefer-

**“Lawyers have a license to practice law, a monopoly on certain services. But for that privilege and status, lawyers have an obligation to provide legal services to those without the wherewithal to pay, to respond to needs outside themselves, to help repair tears in their communities.”**

—US Supreme Court Associate Justice Ruth Bader Ginsburg (March 2014)

ence, and are covered by the CBA’s malpractice insurance during the virtual clinic consultation.

During the 2020-2021 bar year, the CBA has hosted two virtual legal clinic sessions, first during National Pro Bono Week in October of 2020, and again from April 27-29 of 2021.<sup>2</sup> If you missed signing up for one of these sessions, keep an eye out for our next Virtual Legal Clinics in October of 2021. For the most up-to-date information about the clinics, visit [ctbar.org/ProBonoClinic](http://ctbar.org/ProBonoClinic).

### **CBA Lawyers in the Libraries**

*(Advice and counsel; estimated time commitment of one to two hours)*

If you prefer to meet with applicants in your own community, consider participating in the Lawyers in the Libraries program. In December of 2020, the CBA launched this new program, allowing volunteers to provide pro bono legal services to members of the public in a community setting, in 20-minute pre-scheduled appointments. The program was started at public libraries in New London and Stamford, with plans to expand it to additional libraries as safety permits. If you are interested in volunteering through the Lawyers in the Libraries program, email [probonoclinic@ctbar.org](mailto:probonoclinic@ctbar.org).

### **CBA Pro Bono Connect**

*(Limited scope to full representation; estimated time commitment of five to 20 hours)*

As you are able to undertake limited scope and full representation pro bono matters, you may sign up to receive case referrals and training through CBA Pro Bono Connect. This program connects Connecticut residents in need of pro bono service with legal service providers as well as volunteer attorneys with legal service providers who need assistance with pro bono cases and training to take on a pro bono case. Consider taking the Pro Bono Pledge<sup>3</sup> to provide representation in at least one housing, family, education, consumer, immigration, or veterans benefits matter in the coming year. In exchange for taking the pledge, you will receive access to free training videos and materials, accessible through the CBA Education Portal, and available to you for a full year after you take the pledge. There are currently more than 15 different on-demand training webinars, with accompanying

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*Cecil J. Thomas is the 2020-2021 president-elect of the Connecticut Bar Association and chair of its Pro Bono Committee.*

*He is an attorney at Greater Hartford Legal Aid, where he has represented thousands of low-income clients, predominantly in housing matters, since 2006, and has obtained significant appellate and class action victories on behalf of low-income Connecticut residents. Attorney Thomas also co-chairs the legal aid subcommittee of the COVID-19 taskforce, which led the development and launch of CBA Pro Bono Connect.*



Learn more about pro bono work at the 2021 Connecticut Legal Conference in **FL05 The POWER Act: Pro Bono Representation and the Prevention of Domestic and Sexual Violence**. Register online at [ctlegalconference.com](http://ctlegalconference.com).

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## President's Message

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Counsel are Doing to Drive Change and Achieve Results." In this exciting program, we will hear from corporate counsel about how the desire to achieve sustainability and advance ESG is driving change in their companies, and what companies need from outside counsel to address ESG factors, regulation, and reporting.

The CBA has been with you throughout these unprecedented, trying times and we will stand with you as we navigate and define the new normal. To better serve you and your professional needs, please take a minute to update your CBA profile, including firm size and type, and area of practice, so that we can continue to deliver the high-quality content that you deserve.

As we begin to safely reopen the CBA offices and bring back in-person meetings, please mark your calendars and join Connecticut legal professionals and the CBA past presidents and their families at our Summer BBQ on Sunday, June 27 from 11:00 a.m. to 5:00 p.m. at Holiday Hill in Prospect. Learn more and register at [ctbar.org/BBQ](http://ctbar.org/BBQ).

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## DE&I

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ing reactive, or part of an affirmative and comprehensive program to achieve long-term change? Will the training be part of an ongoing DEI effort, building knowledge or awareness over time, or simply a one-time "check the box" event with little or no follow-up? If implicit biases are deeply-held positive and negative associations built up within our subconscious minds over time, can we reasonably expect a stand-alone training to challenge those associations in 60 or 90 minutes? Can such a training, without more, guarantee the individual and organizational action steps necessary to effectuate actual and long-term change? Relying on an isolated training event to meaningfully advance DEI is akin to utilizing a lecture or a good book to ad-

Stay safe and be well. ■

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## NOTES

1. [www.un.org/sustainabledevelopment/sustainable-development-goals/](http://www.un.org/sustainabledevelopment/sustainable-development-goals/)
2. [www.un.org/millenniumgoals/](http://www.un.org/millenniumgoals/)
3. [www.unpri.org](http://www.unpri.org)
4. [www.unglobalcompact.org](http://www.unglobalcompact.org)
5. [www.responsible-investor.com/articles/the-rise-of-esg-law-firms-part-i-esg-law-gets-hot-and-ceos-get-bothered-leading-to-integrated-esg-legal-practices](http://www.responsible-investor.com/articles/the-rise-of-esg-law-firms-part-i-esg-law-gets-hot-and-ceos-get-bothered-leading-to-integrated-esg-legal-practices)
6. [www.forbes.com/sites/george-kell/2018/07/11/the-remarkable-rise-of-esg/?sh=782e67b71695](http://www.forbes.com/sites/george-kell/2018/07/11/the-remarkable-rise-of-esg/?sh=782e67b71695)
7. [www.kkr.com/businesses/global-impact](http://www.kkr.com/businesses/global-impact)
8. [www.pionline.com/esg/global-esg-data-driven-assets-hit-405-trillion](http://www.pionline.com/esg/global-esg-data-driven-assets-hit-405-trillion)
9. [www.bloomberg.com/news/articles/2020-10-19/almost-60-of-mutual-fund-assets-will-be-esg-by-2025-pwc-says](http://www.bloomberg.com/news/articles/2020-10-19/almost-60-of-mutual-fund-assets-will-be-esg-by-2025-pwc-says)
10. Bloomberg L.P. (3/4/2021). Climate, ESG Task Force Formed by SEC in Enforcement Division. Retrieved from Bloomberg database
11. [www.whitehouse.gov/priorities](http://www.whitehouse.gov/priorities)
12. [www.blackrock.com/corporate/investor-relations/larry-fink-ceo-letter](http://www.blackrock.com/corporate/investor-relations/larry-fink-ceo-letter)
13. Goldman Sachs 2019 Sustainability Report Driving Inclusive Growth at p. 24.
14. [www.americanbar.org/groups/litigation/committees/diversity-inclusion/articles/2017/winter2017-0217-paulette-brown-engineer-for-justice/](http://www.americanbar.org/groups/litigation/committees/diversity-inclusion/articles/2017/winter2017-0217-paulette-brown-engineer-for-justice/)
15. [www.ctbar.org/about/diversity-equity-inclusion](http://www.ctbar.org/about/diversity-equity-inclusion)

vance personal health and wellness. You may learn important lessons in 60 to 90 minutes, but impact is ultimately determined by whether you apply those lessons in what you do afterwards.

Take the time to find or reexamine your DEI "why" and "why not." Be honest in your self-reflection and examination, challenging your fears and assumptions as necessary. Your DEI "whys" and "why nots" are often quite perceptible, particularly to those within your organization who are impacted by the product of your collective efforts, or lack thereof. In the end, your DEI commitment should be real and spectacular: a woven tapestry of the collective experiences and differences of the people that make your organization truly strong, effective, and inspiring. ■

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## PDD

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withdrawing a pending action without permission of the Complainant and for failing to keep the Complainant reasonably informed of the status of her case. *Cathy Topping vs. Michael A. Peck*, #19-0374 (9 pages).

**Proposed disposition** to reprimand the Respondent is ordered. Reprimand issued pursuant to agreed disposition where attorney acknowledged that there was sufficient evidence to prove violation of Rule 8.4(3) and is ordered to initiate the Connecticut Bar Association fee arbitration process for the parties. *Robert Boisvert vs. James R. Hardy III*, #19-0471 (10 pages). ■

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## Time to Go Pro Bono

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reference materials, available through CBA Pro Bono Connect. You may access these trainings at your convenience, and will be able to coordinate with the referring civil legal service provider to take a case according to your availability within the year after you take the Pro Bono Pledge. While the time commitment is greater, you will be a great reassurance to a low-income individual or family navigating unfamiliar systems and difficult circumstances. Learn more and sign up at [ctbar.org/CBAProBonoConnect](http://ctbar.org/CBAProBonoConnect).

I hope you will find an opportunity to engage in pro bono legal service through all of the CBA's many pro bono programs. Each of them is tailored to your availability, provides support for your involvement, and will allow you to give your time, expertise, and professional skills to those in greatest need of our help. ■

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## NOTES

1. Connecticut Rules of Professional Conduct, Rule 6.1 (2021)
2. [www.ctbar.org/events-education/upcoming-special-events/pro-bono-clinic](http://www.ctbar.org/events-education/upcoming-special-events/pro-bono-clinic)
3. [www.ctbar.org/members/volunteer-today/pro-bono/CBA-pro-bono-connect](http://www.ctbar.org/members/volunteer-today/pro-bono/CBA-pro-bono-connect)