



STATE OF CONNECTICUT  
JUDICIAL BRANCH

COURT OPERATIONS DIVISION

**LEGAL SERVICES**

Joseph J. Del Ciampo, *Director of Legal Services*

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Judicial Branch Website: [www.jud.ct.gov](http://www.jud.ct.gov)

December 13, 2018

MEMO TO: Rules Committee

SUBJECT: Recommendations by the Legal Specialization Screening Committee to Authorize Entities as Certifiers of Lawyers as Specialists

On November 28, 2018, the Legal Specialization Screening Committee met and recommended the following:

- 1- That the Connecticut Bar Association be approved as a certifier of lawyers as specialists in the area of Residential Real Estate for a period of five years subject to the condition that, if approved, it shall be required to notify promptly the Legal Specialization Screening Committee of any material changes and its methodology for certifying lawyers as specialists during the term of its approval.
- 2- That the National Board of Trial Advocacy be re-approved as a certifier of lawyers as specialists in the area of Criminal Law and in the area of Civil Trial Practice for a period of five years subject to the condition that, if approved, it shall be required to notify promptly the Legal Specialization Screening Committee of any material changes in its methodology for certifying lawyers as specialists during the term of its approval.

See attached report by the Legal Specialization Screening Committee dated November 28, 2018, and the minutes of its meeting held on November 28, 2018.

If you approve the recommendations of the Legal Specialization Screening Committee, the following vote should be made:

The Rules Committee, after reviewing the report of the Legal Specialization Screening Committee dated November 28, 2018, recommending approval of the application of the Connecticut Bar Association for authority to certify lawyers as specialists in the field of Residential Real Estate, unanimously approves the Connecticut Bar Association for a five

year period commencing December 18, 2018, as qualified to certify lawyers as specialists in that field. This approval is subject to the condition that the CBA is required to notify promptly the Legal Specialization Screening Committee of any material changes in the information contained in its application or in its methodology for certifying lawyers as such specialists during the term of this approval.

The Rules Committee, after reviewing the report of the Legal Specialization Screening Committee, dated November 28, 2018, recommending approval of the application of the National Board of Trial Advocacy for renewal of its authority to certify lawyers as specialists in the field of Criminal Law and in the field of Civil Trial Practice, unanimously approves the National Board of Trial Advocacy for a five year period commencing on February 22, 2019, as qualified to certify lawyers as specialists in those fields. This approval is subject to the condition that the National Board of Trial Advocacy is required to notify promptly the Legal Specialization Screening Committee of any material changes in the information contained in its application or in its methodology for certifying lawyers as such specialists during the term of this approval.

  
Joseph J. Del Ciampo  
Director of Legal Services

JJD:pt  
Attachments

## *Legal Specialization Screening Committee*

November 28, 2018

Joseph Del Ciampo  
Director of Legal Services  
State of Connecticut Judicial Branch  
100 Washington Street  
Hartford, Connecticut 06115

Dear Attorney Del Ciampo:

On November 28, 2018, the Legal Specialization Screening Committee met and considered several matters. At the meeting, the Committee recommended the following:

The Legal Specialization Screening Committee recommends that the Connecticut Bar Association be approved as a certifier in the specialty area of Residential Real Estate, for a five year period, pursuant to its application dated August 28, 2018, because in the opinion of the Committee, it meets all of the criteria in the rules and as developed by the Committee to evaluate whether entities should be approved as certifiers, subject to the condition that, if approved, the applicant shall be required to notify promptly the Legal Specialization Screening Committee of any material changes in its methodology for certifying lawyers as specialists during the term of its approval.

The Legal Specialization Screening Committee recommends that the National Board of Trial Advocacy be approved for recertification as a certifier in the specialty area of Criminal law, for a five year period, pursuant to its application dated July 18, 2018, because in the opinion of the Committee, it meets all of the criteria in the rules and as developed by the Committee to evaluate whether entities should be approved as certifiers, subject to the condition that, if approved, the applicant shall be required to notify promptly the Legal Specialization Screening Committee of any material changes in its methodology for certifying lawyers as specialists during the term of its approval.

The Legal Specialization Screening Committee recommends that the National Board of Trial Advocacy be approved for recertification as a certifier in the specialty area of Civil Trial Practice, for a five year period, pursuant to its application dated July 18, 2018, because in the opinion of the Committee, it meets all of the criteria in the rules and as developed by the Committee to evaluate whether entities should be approved as certifiers, subject to the condition that, if approved, the applicant shall be required to notify promptly the Legal Specialization Screening Committee of any material changes in its methodology for certifying lawyers as specialists during the term of its approval.

The subject applications are on file with your office. Please forward these recommendations to the Rules Committee.

Very truly yours,



Jeffrey Low  
Vice Chair,  
Legal Specialization Screening Committee

cc: Robert F. Dwyer, Jr.  
Patrick Kennedy  
Rosemarie Paine  
Denise K. Poncini  
Kate Casaubon

## Legal Specialization Screening Committee Minutes

November 28, 2018 Meeting  
Judicial Branch, Legal Services Unit  
100 Washington Street, Hartford, CT 06106  
Conference Room, 2nd Floor  
3:00pm

### VIA CONFERENCE PHONE CALL

Members Participating: Attorney Jeffrey Low (Vice Chair), Attorney Rosemarie Paine, Attorney Robert Dwyer. Attorney Patrick Kennedy

LSSC Staff participating: Attorney Denise Poncini, Attorney Katharine Casaubon

1. The Committee considered the minutes of the meeting held on April 24, 2018. The Committee unanimously voted to approve the minutes.
2. The Committee considered the National Board of Trial Advocacy's renewal application to certify lawyers as specialists in Criminal Law. After brief discussion, the Committee unanimously approved that the following resolution be forwarded to the Rules Committee:

The Legal Specialization Screening Committee recommends that the National Board of Trial Advocacy be approved for recertification as a certifier in the specialty area of Criminal law, for a five year period, pursuant to its application dated July 18, 2018, because in the opinion of the Committee, it meets all of the criteria in the rules and as developed by the Committee to evaluate whether entities should be approved as certifiers, subject to the condition that, if approved, the applicant shall be required to notify promptly the Legal Specialization Screening Committee of any material changes in its methodology for certifying lawyers as specialists during the term of its approval.

3. The Committee considered the National Board of Trial Advocacy's renewal application to certify lawyers as specialists in Civil Trial Practice. After brief discussion, the Committee unanimously approved that the following resolution be forwarded to the Rules Committee:

The Legal Specialization Screening Committee recommends that the National Board of Trial Advocacy be approved for recertification as a certifier in the specialty area of Civil Trial Practice, for a five year period, pursuant to its application dated July 18, 2018, because in the opinion of the Committee, it

meets all of the criteria in the rules and as developed by the Committee to evaluate whether entities should be approved as certifiers, subject to the condition that, if approved, the applicant shall be required to notify promptly the Legal Specialization Screening Committee of any material changes in its methodology for certifying lawyers as specialists during the term of its approval.

4. The Committee considered the Connecticut Bar Association's application to certify lawyers as specialists in Residential Real Estate. After discussion, the Committee unanimously approved that the following resolution be forwarded to the Rules Committee:

The Legal Specialization Screening Committee recommends that the Connecticut Bar Association be approved as a certifier in the specialty area of Residential Real Estate, for a five year period, pursuant to its application dated August 28, 2018, because in the opinion of the Committee, it meets all of the criteria in the rules and as developed by the Committee to evaluate whether entities should be approved as certifiers, subject to the condition that, if approved, the applicant shall be required to notify promptly the Legal Specialization Screening Committee of any material changes in its methodology for certifying lawyers as specialists during the term of its approval.

5. The Committee discussed the Connecticut Bar Association's informal request to determine whether an on-line version of an exam would be acceptable. This item is a follow-up regarding Item #6 from the April 24, 2018 meeting. In connection with this matter, staff to the LSSC prepared a study of the various rules from other states concerning alternatives to a written exam for the consideration of the committee. After discussion, the committee determined that any further consideration of this topic should be made after submission of a formal proposal.
6. The Committee considered proposed additional questions for the Application for Authority to Certify Lawyers as Specialists, form JD-ES-63, regarding the pass/fail rate for, and the validity and reliability of, exam formats used to test attorneys wishing to become certified as specialists. This matter is a follow-up discussion from the April 24, 2018 meeting with respect to Section 7.G. of the LSSC Regulations requiring the committee to evaluate these factors with respect to an applicant's written examination.

After discussion, the Committee unanimously voted to recommend to the Rules Committee that the Application for Authority to Certify Lawyers as Specialists, JD-ES-63, be revised to include the following as sub-question within question #16 on pages 5-6 of the current version of the JD-ES-63 form, which requires applicants for authority to certify lawyers as specialists to state various facts about the written examination that the certifying entity administers to candidates for specialization as follows:

- (k) how the pass/fail levels for each examination administration are established;
- (l) how each form of the examination is determined to be reliable, that is, that the test results of each form of the examination are consistent or replicable; and
- (m) how each form of the examination is determined to be valid, that is, that the content and emphasis of the examination proportionately reflects the knowledge and skills needed for an enhanced level of skill and expertise in the specialty area.

7. The meeting adjourned at 3:36.

Respectfully Submitted,

Denise Poncini  
Counsel, Legal Services

DRAFT

Certifying Board or Entity	Field or Fields of Law	Term of Approval
<p>American Board of Certification  4403 1<sup>st</sup> Avenue SE, Suite 113  Cedar Rapids, IA 52402</p>	<p>Consumer Bankruptcy Law  Business Bankruptcy Law</p>	<p>9-25-16 through 9-25-21</p>
<p>National Board of Trial Advocacy  850 Franklin Street, Suite 8  Wrentham, MA 02093</p>	<p>Civil Trial Practice  Criminal Law</p>	<p>2-22-14 through 2-22-19</p>
<p>National Association of Counsel for Children  1825 Marion Street, Suite 242  Denver, CO 80218</p>	<p>Child Welfare Law</p>	<p>1-15-18 through 1-15-23</p>
<p>Connecticut Bar Association  30 Bank Street, P.O. Box 350  New Britain, CT 06050-0305</p>	<p>Workers' Compensation</p>	<p>10-24-16 through 10-24-21</p>



**Del Ciampo, Joseph**

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**From:** Poncini, Denise  
**Sent:** Friday, November 30, 2018 3:11 PM  
**To:** Del Ciampo, Joseph  
**Cc:** Casaubon, Katharine  
**Subject:** FW: LSSC Letter to Rules Committee  
**Attachments:** 11-28-18 Letter to Del Ciampo.pdf; Draft Minutes112818.pdf

✓  
12/18/19

Here are the draft minutes.

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**From:** Casaubon, Katharine  
**Sent:** Friday, November 30, 2018 2:49 PM  
**To:** Del Ciampo, Joseph  
**Cc:** Poncini, Denise  
**Subject:** LSSC Letter to Rules Committee

Good afternoon Joe,

I have attached the letter from Attorney Jeff Low detailing the LSSC's recommendation to the Rules Committee as to the CBA's application for Residential Real Estate and the National Board of Trial Advocacy's renewal applications for Criminal Law and Civil Trial Practice. The draft minutes from this meeting are also attached.

Please present this to the Rules Committee for their review and approval.

In addition, the LSSC also approved some amendments to the LSSC application form, JD-ES-63. I have put an ES-100 with those changes in my Forms Review folder for your review, and I will send you a memo to provide to the Rules Committee explaining those changes as soon as we have a draft ready to show them.

Thanks,  
Kate

Katharine E. Casaubon

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