

**Remarks for Chief Justice Chase T. Rogers
Pro Bono Summit
LOB, Room 2C
October 5, 2011**

Good morning. I first want to thank the members of the Judicial Branch's Pro Bono Committee, headed by Judge Bill Bright, for working so hard to put together this exceptional and very timely program. The committee was formed less than a year ago because of the ever increasing need for legal services that our judges are seeing every day. I want to assure you that, because of the comprehensive planning the committee has already done, you will have the information and resources you need to begin providing pro bono services.

I am also deeply appreciative to Governor Malloy, who has agreed to devote part of his busy day to the summit. As you know, the governor is an attorney himself who is very aware of the problems that unrepresented, low-income individuals face in our courts.

As you can see from the agenda, we have an outstanding lineup of speakers today who come to you with years of toiling in the pro bono fields. I am also thankful to the many judges and attorneys, from law firms and the corporate bar alike, who will participate in today's panel discussions.

And finally, to the audience, I want to say thank you for taking time out of your extremely busy schedule in order to ultimately make a difference in the lives of people who desperately need attorneys to help them resolve real-life dilemmas.

Most people assume that the only people who represent themselves in court are those who make a deliberate choice to do so. The truth is many people who represent themselves do so because they have no other choice. This summit is an important first step in addressing the problem of self-representation

which I believe will be the most difficult and pressing issue facing the judicial system over the coming years.

As I mentioned, we view this summit as a first step. Our goal today is not just to discuss the problems we face and leave feeling proud that we devoted three hours to the process. We are asking much more of you. We want you and the attorneys you are associated with to make real commitments to devote your considerable resources to help those who face life-affecting legal issues.

Many of you already devote time to pro bono efforts, but we can all do more. And, frankly, we are going to push you a little in that regard. But, we are also going to support you in your efforts. As you will hear today, the Judicial Branch has worked and will continue to work very hard with the private bar, bar associations and legal aid providers to remove barriers to pro bono work.

Our goal is to make it easier for you to represent others in need, support you in those efforts, and recognize those who go above and beyond.

I want to begin by saying that the judicial system is straining under the weight of a population of people economically decimated by the recession. In addition, the courts are operating within the constraints of a budgetary reality unlike any we have seen before. Put simply, we can't do this alone and we need your help. The question then is: **WHY SHOULD YOU AGREE TO DO SO?**

I don't want to understate that anyone who is an attorney knows that there is no greater personal satisfaction than doing pro bono service for someone in need.

But, besides the personal satisfaction, we also know that the legal community has a professional responsibility to do pro bono work. My colleague,

Justice Peter Zarella, eloquently put it this way when he spoke at an attorney swearing-in ceremony a few years ago: “Pro bono service to people in need is the payment you make for the honor of being an attorney.”

In fact, Connecticut’s Rules of Professional Conduct recognize this responsibility in Rule 6.1, which reads: “A lawyer *should* [not may] render public interest legal service.

In addition, by donating your time you are making a significant and positive difference to the entire judicial system. Let me provide you with some statistics. Last year,

In 85% of family matters, at least one party was self-represented.

In housing matters, 90% had at least one self-represented party.

In civil matters, 24% have at least one self-represented party.

Anecdotally, there were 3 self-represented parties at the Supreme Court last term which I had never seen before. This number will increase as cases percolate their way up the system.

Why is it a problem that so many people are representing themselves? It's a concern because the bedrock principle of our court system is justice for all. Not justice for some or justice for the person who has the lawyer. Bluntly stated, it is much harder to make certain that justice is being served when parties are not being represented by counsel.

Finally, it is in your own self-interest to help address these issues. The surge of unrepresented people that we’ve seen over the past few years not only directly impacts the courts but you as practitioners and taxpayers as well. Consider this example, which many of you have witnessed before:

You represent one party in a divorce and the opposing party has no money to hire an attorney. He or she has been laid off, the house is in foreclosure, and the children are the subject of a nasty custody dispute; and about the only thing that anybody can agree upon is that nobody can agree on anything.

The judge and clerks, however, can provide only limited advice to the self-represented party, who has absolutely no understanding of basic court procedure. So, as the hearing gets underway, you realize that what should have taken 30 minutes will now take two hours.

Your client, meanwhile, has to take off another day from work to return to court, the children's conflict-filled situation remains unresolved, the self-represented litigant is angry beyond words, and the judge is frustrated that three-quarters of the proceeding was taken up by discussing what forms need to be presented. And to top things off, lawyers and other parties are lined up outside, upset that their cases have been delayed.

I would suggest to you that these types of cases have a domino effect that negatively impacts every single party and attorney who appear in our courts – not to mention the justice system itself.

You will also hear today why doing pro bono work is good business. Not only do the judges you appear before appreciate the public service you do, you're going to hear that your clients and potential clients do as well. Decisions about who to hire and which relationships to develop are based, at least in part, on what you are willing to do for those in need.

So, for today I hope we can have an open and frank discussion about what can be done, what needs to be done and how we are going to do it together. To that end, we will provide practical information to you which will make doing pro bono service easier, including opportunities for training. We also plan to answer questions about concerns such as malpractice insurance. In addition, we're providing you with a very informative catalog that provides an exhaustive list of pro bono opportunities in Connecticut. Finally, we will also explore the topic of how the Judicial Branch can continue to help.

Again, thank you for attending today's summit and I look forward to hearing your comments, questions and feedback.

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