

COMMITTEE ON PROFESSIONAL ETHICS

WICK R. CHAMBERS, CHAIR

PURPOSE

The principal work of the committee is to provide members of the bar with opinions on matters of professional ethics, usually involving interpretations of the Connecticut Rules of Professional Conduct. Written requests for opinions are referred to a committee member for preparation of a draft opinion, which is then debated and considered for adoption or rejection at the monthly meeting of the committee. Some opinions are referred to subcommittees for research, reconsideration, and revision. All of the committee members are, therefore, given an opportunity to participate in the activities of the committee; and all of them do. The monthly meetings are well attended by members, and the discussions are lively and well-informed.

The committee issues informal and, occasionally, formal opinions. The formal opinions are published in the *Connecticut Bar Journal*, the *Lawyer's Diary*, and the *ABA/BNA Lawyers Manual on Professional Conduct*. Informal opinions are provided to the Yale, UCONN, and Quinnipiac law libraries, and are made available at the CBA office and are published in the *Connecticut Lawyer* magazine. Digests are published in the *ABA/BNA Manual*. The CBA publishes annually the *Professional Responsibility Reference Guide*, which includes updated formal and informal opinions rendered by the committee since adoption of the Rules of Professional Conduct in Connecticut on October 1, 1986.

The requests are usually from members of the Connecticut Bar and concerns what they should ethically do in the future. The committee normally does not get involved in deciding whether someone other than the requester can do something in the future, or whether the requester or someone else acted ethically in the past, as the committee is not equipped to adjudicate disputes.

ANNUAL REPORT

In 2008 and the first part of 2009 the Ethics Committee issued opinions on three issues of national significance: aggregate settlements (at issue in the Vioxx litigation), the propriety of a lawyer signing a client's signature with the intent of hiding the lawyer's involvement (a technique sometimes used by so-called debt relief mills), and collaborative divorce. The committee also issued opinions concerning the duty to disclose a client's threat, whether an irrevocable letter of protection covers interest charged by the medical provider, payment of funds due clients when lawyers dispute a division of fees, revealing client information to a third party in the context of a fee arbitration and ethical issues relating to a lawyer's intentional refusal to pay a portion of income tax due as an expression of civil disobedience.

Members of the committee also put on CBA seminars on legal ethics in general and were presenters on legal ethics at seminars on workers' compensation law, ERISA liens, and career change.

At the request of the Superior Court Rules Committee, the Ethics Committee also participated in the process of reviewing and commenting on proposed amendments to Rule 1.14, Client Under a Disability.

As it has for many years, the committee continued to provide telephone support to lawyers, non-lawyers, and the press who had questions about the Rules of Professional Conduct as applied to a wide variety of factual circumstances, including the ethical obligations of a JAG lawyer involved in a capital case.

In 2009 the committee will begin the process of comparing Connecticut's Rules of Professional Conduct to the ABA Model Rules to identify and consider differences between the Model Rules and Connecticut's Rules that have not yet been considered in Connecticut.

I am grateful to members of the committee who devote a great deal of time to the process of drafting opinions, discussing and debating issues at meetings, re-drafting opinions, putting on seminars, and providing telephone support. Committee members play an important role in helping Connecticut lawyers discharge our collective obligation of self-regulation.

PUBLIC SERVICE RECOGNITION COMMITTEE

BARBARA J. COLLINS, CHAIR

PURPOSE

The Public Service Recognition Committee was created to study the activities of members of the CBA who donate professional services and/or other services to non-profit entities and needy individuals, which services are not pro bono under definition utilized by the CBA Pro Bono Committee; to promote the contribution of such services by members of the CBA; and to develop criteria by which the CBA can recognize members with the *Citizens of the Law Award* whose contributions of such services have been noteworthy. The committee also has responsibility to recognize non-lawyers who make a substantial contribution to the legal community with the *Citizen for the Law Award*.

ANNUAL REPORT

In 2007, a survey was done of members and 173 responded. The survey showed that the numerous lawyers donating many hours to help their communities. Using data from the responses to the survey, the committee recognized Susan Asselin-Connolly in the fall of 2008 with the *Citizen of the Law Award*. An article about the committee, the survey, and the recipient was in the *Connecticut Lawyer* at that time and Attorney Asselin-Connolly will be recognized at the Annual Meeting luncheon.

A second survey is to be done shortly. The committee hopes that the *Connecticut Lawyer* article and award at the Annual Meeting will generate even more responses to the survey. It is the hope of the committee to recognize at least one lawyer annually with the public service award.

Likewise the committee is reviewing ways to solicit information concerning non-lawyers and their contributions to the legal committee in order to make the Citizen for the Law Award an annual event.

STANDING COMMITTEE ON STANDARDS OF TITLE

DENIS R. CARON, CHAIR

PURPOSE

The Standing Committee on Standards of Title has the responsibility of (1) considering, formulating, and proposing new Standards of Title; (2) reviewing and updating present Standards of Title; and (3) soliciting