

ANNUAL REPORT

In 2008 and 2009 the Construction Law Section continued its tradition of providing informative programs to both its members and the construction industry at large. On November 5, 2008, the section sponsored a presentation in association with the Construction Management Program at Central Connecticut State University. Members of the section served as panelists and explored various issues dealing with the important subject of getting paid on construction projects. The dinner meeting was attended by students from the CCSU program, representatives from various sectors of the industry, and a number of lawyers from the section. The presentation was well-received and the section looks forward to future collaborative efforts with CCSU.

Several years ago, the section established a scholarship fund at CCSU for the benefit of students in the Construction Management Program. The section is pleased to note that, by recently providing an additional contribution to the existing fund, it has enabled the University to make awards to two students each academic year rather than one.

Through the efforts of various members of the section's executive committee the section's annual Case Law Summary has once again been assembled and made available online for the section. This important and very useful compendium summarizes Connecticut court decisions issued as well as legislation enacted during the previous year affecting the construction industry. On May 15, 2009, the section presented a seminar at the CBA Law Center in New Britain intended to coincide with the release of this year's Summary. The panelists discussed the significant court rulings and legislative initiatives from 2008. This annual presentation has become a valuable source of information for Connecticut attorneys whose practices involve virtually any aspect of construction law.

The section is also pleased to be an active participant in the slate of programs to be presented at the CBA's Annual Meeting on June 8, 2009 at the Connecticut Convention Center in Hartford. Working in conjunction with members of the Planning and Zoning Section, members of our section have developed a program that will explore the challenges and opportunities for lawyers and clients in the emerging field of "Green Building Construction." It promises to be an insightful and practical discussion of the myriad of issues faced by practitioners in this area of the law.

CRIMINAL JUSTICE SECTION

JUDITH ROSSI, CHAIR

PURPOSE

The purpose of this section shall be to promote objects of the State Bar Association of Connecticut within the field of the administration of criminal justice.

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The Criminal Justice Section is charged with monitoring the entire spectrum of the administration of criminal justice, including the rules of criminal procedure; and to work for improvements in the criminal justice system of this state.

The section met eight times between the end of August 2008 and the end of May 2009. This year we varied the meeting dates from the previously fixed date of the third Thursday of every month, because we realized that our meetings were often in conflict with those of other organizations to which many of our members belong. We also decided to move some of the meetings to new venues in addition to our old stand-by, the Graduate Club New Haven. We have tried one new location—the Dakota Steak House in Wethersfield, which worked out well.

We have continued the tradition of focusing our meetings around interesting and informative speakers on a variety of topics. Dr. Michael Bourke from the Forensic Laboratory in Meriden explained the DNA Databank. David Atkins, chair of Pullman & Comley's Professional Liability Section, led an interactive discussion on legal ethics. State Senator Martin Looney spoke about the judicial re-appointment process and on pending legislation of interest to our members. Ed Mahony, investigative reporter for the *Hartford Courant*, gave an account of the trial of FBI agent John Connolly. Kevin O'Connor, partner at Bracewell & Giuliani and formerly of the Justice Department and the U.S. Attorney's office, gave us an insider's view of turbulent times at the Justice Department during the tenures of U.S. Attorneys General Alberto Gonzalez and Michael Mukasey. Chief State's Attorney Kevin Kane and Chief Public Defender Susan Storey discussed the state of the death penalty in Connecticut. William Carbone, executive director of the Judicial Department's Court Support Services Division, was the scheduled speaker for our meeting on May 28, 2009.

Other items on the agenda at our meetings included activities and initiatives of the Connecticut Bar Association; pending legislation including proposals that would revise the attorney occupational tax, impose a tax on legal services, and increase the penalty for the unauthorized practice of law; issues before the Judicial Rules Committee; and changes in probation sentencing procedures.

We are exploring ways to increase membership attendance at our meetings. We have also begun discussions of projects that our section might undertake to effectuate improvements to the criminal justice system.

ELDER LAW SECTION

JUDITH HOBERMAN, CHAIR

PURPOSE

Members of the Elder Law Section have in 2008–2009 engaged in diverse activities designed to further the practice of this area of law, including substantive monthly educational presentations, continuing legal education, appointment of work groups to address topics of interest and concern, assiduous advocacy efforts, and community education.

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Consistent with its prior practice, the section continued to open its monthly meetings to the entire membership. (All meetings are noticed as executive committee meetings for voting purposes under the section's bylaws.) Recognizing the need to (1) equip members on major changes in Medicaid law, (2) involve members in this year's efforts to restructure the probate courts, and (3) keep abreast of the evolution in long-term care policy toward community-based care, 2008-2009 topics have included:

- an overview by Dawn Lambert of the Department of Social Services concerning the launch of the Money Follows the Person program
- a presentation by Connecticut Probate Administrator Paul Knierim on his goals for restructuring the probate courts
- presentations by section members on the Department of Social Services' (DSS) proposals to amend the Uniform Policy Manual to reflect changes in federal law made by the Deficit Reduction Act of 2005 (DRA)
- an overview by Margaret Murphy and Jocelyne Watrous of the Center for Medicare Advocacy of new Medicare developments and the Medicare Part D prescription drug program