

- support for increased staffing in nursing facilities to enhance quality of care
- support the use of special needs trusts for recipients of state benefits who reside in residential care homes
- regulatory advocacy concerning pooled trusts for elderly applicants or recipients of Medicaid

During the 2009 session, section members have presented written and oral testimony at the legislature on bills that arose concerning these concept positions. In addition, the section has also supported the Connecticut Uniform Protective Proceedings Guardianship Act. Finally, along with members of Estates and Probate, Elder Law Section members have been actively involved in submitting testimony and comments to the legislative workgroup that is negotiating the details of probate court restructuring.

As noted above, section members continue to invest substantial advocacy time focused on the DRA-related revisions to the Uniform Policy Manual that were proposed by DSS. We were assisted in that effort by outside lobbyist Bob Shea, whose contract was extended with permission of the CBA to assist the section in completing this important advocacy effort.

Finally, members have in 2008-2009 continued to partner with the Connecticut Appleseed Foundation and the Quinnipiac University School of Law to offer community outreach presentations at senior centers across Connecticut and at Quinnipiac University's Senior Citizens Law Day. Using a consumer education manual entitled *Connecticut Elder Law Resources* that was drafted by Connecticut content experts, section members have volunteered to discuss topics including advance directives, consumer issues, housing, payment for long-term care, estate planning, and Medicare. These efforts have afforded many low-income older adults and their caregivers access to objective and trustworthy information regarding their legal options.

## **ENVIRONMENTAL LAW SECTION**

**NANCY K. MENDEL, CHAIR**

### **PURPOSE**

The purpose of this section shall be to safeguard and enhance conservation and environmental quality; to promote the objectives of the CBA relative to environmental law; to promote the practice of environmental law, including compliance with the Rules of Professional Conduct; to foster relationships among attorneys with an interest in conservation and environmental law; to offer opportunities for discussion of and exchange of information about current issues; to aid in the drafting, review and interpretation of legislation and regulations; to assist with education of the general public, the news media, and others about conservation and environmental law; and to undertake such other activities as the section or the CBA may deem appropriate.

### **ANNUAL REPORT**

Executive committee meetings were held as follows:

September 17, 2008—The committee voted on the 2008–2009 slate of officers and committee chairs.

October 23, 2008—The committee voted to authorize the chair to submit a request to CTDEP to allow for a 60-day comment period for the proposed revisions to the RSRs.

February 19, 2009—The committee voted to approve the chair to request consent from CBA House of Delegates to submit testimony and comments on draft RSRs during DEP public comment period and to Regulations Review Committee.

May 28, 2009—The committee voted on the recommendation to the CBA of an incoming chair of the section for 2009–2011 term and on nominations received for the 2009 Clyde O. Fisher, Jr. Award.

Section meetings and main programs were held as follows:

September 17, 2008—The section held an Organizational round table meeting to discuss proposed revisions to the RSRs, Release Reporting Advisory Committee, beneficial reuse of polluted soil permit and other environmental issues of interest.

October 23, 2008—The section held a panel discussion about Agency Inspection and Enforcement, Prosecution of Violations, Penalty Negotiation entitled Environmental Enforcement: Perspectives from the Players with Nicole Lugli, director of Office of Enforcement Policy and Coordination for DEP, John M. Looney, Asst AG, Patricia A. Horgan, Asst. AG, and Lee D. Hoffman.

November 12, 2008—The section heard from DEP staff Jan Czczotka and Traci Iott on key revisions to the RSRs made by DEP since the October 2007 Draft.

December 17, 2008—The section held its annual holiday party at Spris Restaurant in Hartford.

January 27, 2009—The 2008 legislative update was held in a joint meeting with the Public Utility Law Section with Representative Richard Roy and Senator Ed Meyer, co-chairs of the Environment Committee addressing the top environmental priorities facing the General Assembly this session and Senator John W. Fonfara, chair and Representative Vicki Nardello, vice-chair of the Energy and Technology Committee addressing the top energy-related priorities facing the General Assembly this session.

February 19, 2009—Gina McCarthy, Commissioner of CTDEP made her annual address to the section.

March 25, 2009—The section held a panel discussion entitled “Finding Opportunities in Adverse Economic Times,” with Michele Whelley, Economic Development Corporation of New Haven; Stanley A. Gniazdowski, Realty Concepts, Inc.; and Tim Hollister.

April 30, 2009—The section held a joint meeting with the Environmental Professional Organization of Connecticut featuring a panel discussion on the use of expert witnesses with Keith Ainsworth, Diane Whitney, Fred Johnson, GEI Consultants; and Bob Potterton, Fuss & O'Neill.

May 28, 2009—Pat McCullough, Mark Sussman and Paul Farrell of the CTDEP will give a presentation on the future of greenhouse gas regulation in CT and beyond.

June 2009—The section will hold its annual summer outing and presentation of the Clyde O. Fisher Award.

### **Other Business**

The section sponsored a two-part Environmental Law CLE Seminar with the Young Lawyers Section on October 2, 2008 and March 30, 2009 with Lee Hoffman, Greg Sharp, Chris McCormack, and members of the Young Lawyers Environment Committee.

The chair formed the RSR Committee to assist the section with reviewing and analyzing the proposed revisions to the Remediation Standard Regulations and to outline a position for the section to take in support and/or in opposition to the proposed revisions, including a minority position to present to the CBA in its request to take a section position. Members of the RSR Committee included the chair, Matthew Ranelli, Pat McCullough, Greg Sharp, Beth Barton, Lee Hoffman, Douglas Pelham, Ann Catino, and Roger Reynolds.

The section successfully sought approval from the CBA to take section position regarding Department of Environmental Protection proposed revisions to the Remediation Standard Regulations, which approval was granted by the Board of Governors at an April 13, 2009 meeting and is valid for one year.

**Chair:** Nancy K. Mendel

**Vice-Chair:** Ann Catino

**Secretary:** Douglas Pelham

**Treasurer:** Keith Ainsworth

**Legislative Liaison:** Matthew Ranelli

**Court Watch:** Loni Gardner, Jessica F. Kallipolites, Tom Armstrong (advisor)

**Law School Liaison:** Thomas Blatchley

**Clyde O. Fisher, Jr. Award:** Tim Hollister, Barbara Miller

**Continuing Legal Education:** Christopher McCormack, Lee Hoffman, Ann Catino

**Programs Committee:** Ryan McKain, Beth Bryan Critton

## FAMILY LAW SECTION

SHIRLEY M. PRIPSTEIN, CHAIR

### PURPOSE

The section's purpose is to enhance the practice of family law by providing education to members of the section, by working with the judiciary and family relations division, and by developing positions on issues facing Connecticut's families and family lawyers. Monthly meetings, continuing legal education seminars, and participation in legislative initiatives have been the chief avenues for achieving our purposes.

### ANNUAL REPORT

The officers of the section for the past year have been Shirley Pripstein, chair; Livia Barndollar, chair-elect; Barry Armata, vice-chair for continuing legal education; Sharon Dornfeld, secretary; Kate Haakonsen, treasurer; and Louise Truax, chair ex officio. The section holds monthly dinner meetings, a significant component of which is a CLE program. Each meeting has a presentation of recent developments in family law, two minutes from the floor for upcoming events, and other items of interest to practitioners as well as one or more featured speakers.

This year, presentations included a panel discussion the effect of the housing bubble burst and stock market decline on asset valuation; a presentation by Dr. Robert Horowitz on "parenting coordination" (a term of art for the family practitioner), and a panel discussion on the pros and cons of collaborative divorce.

Our vice chair for continuing legal education, Barry Armata, has not only done a fine job arranging and coordinating the programs for our regular meetings but also organized two programs for the Annual Meeting: "Annual Review of Family Law" and "Connecticut Divorce Processes (alternative resolution mechanisms)."

On November 18, 2008, Judge Linda Munro, Chief Administrative Judge, Family Division, gave an informative discussion on her goals for her term as chief administrative judge and her view of the proper role of a *guardian ad litem* for a minor child.