

*The following history of the workers' compensation section and the creation of the expert status designation "Specialist" was written by Attorney Angelo Sevarino who with the help of many others was instrumental in creating this section of the CBA and creating the mechanism to grant the status of Specialist for this section of the Connecticut Bar.*

Early in 1980 I received a welcome letter from Attorney Brian Mahon, then Chair of the Young Lawyer's Section of the Connecticut Bar Association inviting me to join the Young Lawyer's Section. I wrote back to Brian, with the observation that the Committees he listed on his letterhead did not contain a Committee for Workers' Compensation. I received a prompt reply from Brian appointing me Chair of the newly conceived Workers' Compensation Committee of the Young Lawyers Section!

I spent two years as Chair; drafted a section of the Connecticut Lawyers Deskbook; and the section hosted a workers' compensation conference for Respondents at the Hartford Sheraton. I met all of the Commissioners and learned the lay of the land we call "workers' compensation". During this time I suggested to many attorneys much more senior and experienced than I, that the Connecticut Bar Association should have a full Section and with the support of many colleagues began the quest.

Starting a Section is not as simple as being appointed Chair of the Workers' Compensation Committee of the Young Lawyers Section. There was an initial meeting with the Director of the CBA, followed by a number of meetings with the Board of Governors. The Labor Section of the Connecticut Bar Association was not initially supportive of this young upstart attorney separating out a practice area formerly folded into their bosom. Would any lawyers join the Section? What do you charge for dues? What is the agenda? With the support of such individuals as Bob Sheldon, Gerry Stevens, Bob Montstream, Bob McGann, Bill Brown, Jim Pomeranz, Doug Drayton, Ed O'Brien, Don Cousins, Bob Carter, Brian Prindle and Ed Dodd (and I'm sure I've forgotten to mention others), the Board of Governors voted in 1982 to authorize the creation of the Section.

I was honored to be its first Chair and served in that capacity from 1982 to 1984. At its inception the Section had five goals: to establish a Section supportive of both Claimant's and Respondent's needs; to foster an effective and efficient practice before the various Workers' Compensation Commissioners; to present excellent continuing legal education seminars; to publish a scholarly periodical (which we now know as Compensation Quarterly) providing useful and timely information for the Section members; and to develop and promote a board certification process for workers' compensation. The Section today is one of the more active Sections in the Bar and I am very proud of the Section's accomplishments as it nears its 27th anniversary and am equally pleased that it has over the years achieved its initial goals. I am no longer a "Young Lawyer" in age (I still like to believe I am at heart) and am still a member of the Executive Committee of the Workers' Compensation Section. There is much more to do and I would encourage all of you who practice in this field to join the Section and participate.

One of the goals our Section had initially established was to provide a vehicle for those attorneys who wished, to become certified as experts in the field. We can now be

certified as "Specialists" in Workers' Compensation by the CBA. Certification generates all types of emotions: If I'm not certified will I lose clients; What will people think if I fail the exam; the last one I took was the Bar exam!; I've been practicing 25 years...why do I need certification? These are all good questions. The answer is found within ourselves.

Our Bar admission tested for minimal competency but our practice book says we cannot hold ourselves out as specialists unless we have been certified. We practice in selected fields because we enjoy it more than other areas and we are obligated to keep up with legal developments in those areas. However, there is no method or manner in which our clients can select a specialist in the law as they do medical practitioners. Most of us would like to be able to stand out amongst the crowd by proudly displaying some mantle of our own expertise. We will do best, what we like to do best. Certification is one way to match new clients with experts in the very field of law we enjoy most. Certification is also a way to broadcast to your peers that you have achieved a higher level of training in a particular area of the law. Certification is a way of achieving a goal not achieved by others. These were and still are issues which the established Bar raised when the issue of Certification was discussed.

It fell to me to ask, as far back as 1982, "So how does one do all this? Well, not very easily I soon found out. I knew that the Rules of Professional Conduct, Rule 7.4 et seq. governed how we communicated our fields of practice and that Rule 7.4A dealt with certification as specialist. There was even rule 7.4B that said there was a Specialization Screening Committee, appointed by the Chief Justice of the Supreme Court. I did not know who had been appointed, so I called the Chief Court Administrator, Judge Ment who advised me that I had to direct my inquiries to Attorney Ralph Elliot. By now it was 1984. I call Ralph and inquired as to how one became a specialist. His response was "I have no idea you probably should speak with Judge Ment." I told Ralph that Judge Ment sent me to him and so the process began its slow forward movement.

I contacted the American Bar Association and learned that they had a Certification Committee and had active members in various states. I further learned that they put on a "Round Table" discussion once a year dealing with certification programs in the various states. So off I go to my first Round Table. Well if you want to talk about a duck out of water!?! Actually they were very friendly and helpful. I learned that California, Texas and Florida had had active specialization programs for many years and thousands of attorneys had gone through the process. They were kind enough to share with me their start up stories and provide sample standards and rules. With that information in hand I returned to Connecticut full of hope that the process could now move ahead. After numerous Round Table conferences here, and taking a shot at drafting standards and procedures it was already 1991.

The section committee had to make a choice as to whether the certifying agency would be a for-profit commercial vendor or some other entity. I decided on the Connecticut Bar Association since what better entity to service Connecticut lawyers and act as a central clearing house for not only the Workers' Compensation Section but all the other Sections? What I did not know was that the Connecticut Bar Association Director was not a supporter of my idea and felt that specialization was not something the Bar Association should sponsor. Numerous meetings with the Bar and Attorney Elliott took place and it was now sometime around 1998. For the next three years I continued to meet with Ralph Elliot and Ted Johnson at the Bar. I eventually got their approval to present a proposal, including Standards and Examining Committee rules

and regulations (and even a sample test) to the CBA Board of Governors. If my memory serves me correctly we had two meetings with the Board and approval was finally granted.

In the interim we had to find a body of experienced attorneys who would be willing to write the first exam, another group to take the exam, an educational tests and measurement professional to review the results of the practice exam for reliability and validity, and find a group who would be willing to do all this work and in exchange forego being in the first group to sit for the first exam (since they wrote the exam). This remarkable group of individuals (the Examining Committee and the Standing Committee) did just that and in 2001 the first group of attorneys took the exam. Since then a total of 53 lawyers hold the distinction of being Board Certified Specialists in Workers' Compensation.

*This history brings us to spring of 2009 and prefaces the bright future of this worthwhile and hardworking section. As of the posting of this history there are 59 Board Certified Workers' Compensation Specialists*

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