

Task Force to Improve Access to Legal Counsel in Civil (and Administrative) Matters

Outline/Bullet Points for Goals & Principles Working Group

- Purpose of Task Force: “to study the **nature, extent and consequences of unmet legal needs** of state residents in civil matters.”
 - What are fiscal consequences of unmet legal needs in civil matters?
 - For Public Entities (courts, schools, DCF, law enforcement, prisons, social services, public health)
 - For Private Entities (employers, hospitals, shelters, landlords, lawyers on the other side in pro se matters, law firms performing pro bono work)
 - What are human consequences of unmet legal needs in civil matters?
 - **Security/Bodily Integrity (Domestic Violence)**
 - **Parent/Child relationships**
 - Housing
 - Eviction
 - Foreclosure
 - Food
 - Marriages
 - Employment/Labor
 - Contract Collection
 - Health and Safety
 - Access to Education
 - Access to Healthcare
 - What are the societal costs?
 - **Undermining Public Trust in Courts**
 - **Judges challenged to maintain appearance of impartiality when one side pro se**
 - **Undermining Trust in the Rule of Law**
- Charge of Task Force: “shall examine, on a state-wide basis, the **impact** that the lack of access to legal counsel in civil matters is having on the **ability of state residents to secure essential human needs.**”
- Which state residents are the focus of our inquiry? Residents of Connecticut who are:
 - Low and Moderate Income
 - Veterans
 - People with disabilities/mental illness/addiction
 - Juveniles
 - Immigrants
 - Limited English Proficient
- What rights to counsel in civil matters have already been recognized? What needs have been recognized by the legislature as sufficiently important (“essential”?) that a right to counsel has been established?
 - Termination of Parental Rights (probate)
 - Attorneys for Children
 - Habeus
 - Contempt of Court (child support)?
 - Others (to be researched)

- Definition of Success: what would CT look like if state residents had sufficient access to legal counsel in civil matters that they were able to secure essential human needs?
 - Measure against financial goals?
 - Measure against social goals?
 - Measure against legal goals?
 - Is it enough if we make people more aware of the benefits of legal counsel, and provide information about options for obtaining counsel?
 - Is public awareness of the availability of pro bono representation enough, if we cannot guarantee that they will successfully secure pro bono services?
- What should be the priorities for allocating legal representation in civil matters?
 - Should we also work to rebuild a network of multidisciplinary helpers and service providers?
- What additional data is needed to decide:
 - Where priorities should lie; and
 - What benefits will be of allocating resources in various ways?