



## Senate

General Assembly

**File No. 392**

February Session, 2002

Substitute Senate Bill No. 620

*Senate, April 9, 2002*

The Committee on Judiciary reported through SEN. COLEMAN of the 2nd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

### ***AN ACT CONCERNING THE LAWYERS ASSISTANCE PROGRAM.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 51-81d of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) The Superior Court, in accordance with rules established by the  
4 judges of the Superior Court, may (1) establish a Client Security Fund  
5 to (A) reimburse claims for losses caused by the dishonest conduct of  
6 attorneys admitted to the practice of law in this state and incurred in  
7 the course of an attorney-client relationship, and (B) provide crisis  
8 intervention and referral assistance to attorneys admitted to the  
9 practice of law in this state who have mental health, alcohol, substance  
10 abuse or gambling problems, and (2) assess any person admitted as an  
11 attorney by the Superior Court, in accordance with section 51-80, an  
12 annual fee to be deposited in said Client Security Fund. Not more than  
13 fifty per cent of any increase in such annual fee that goes into effect  
14 after the effective date of this section shall be used to provide crisis

15 intervention and referral assistance pursuant to subparagraph (B) of  
 16 subdivision (1) of this section. The specific percentage of such increase  
 17 to be used for such assistance shall be determined from time to time by  
 18 the judges of the Superior Court.

19 (b) The Commissioner of Revenue Services, or the commissioner's  
 20 designee, shall collect any fee established pursuant to subsection (a) of  
 21 this section, record such payments with the State Comptroller and  
 22 deposit such payments promptly with the State Treasurer, who shall  
 23 credit such payments to the Client Security Fund. The Treasurer shall  
 24 maintain the Client Security Fund separate and apart from all other  
 25 moneys, funds and accounts and shall credit any interest earned from  
 26 the Client Security Fund to the fund. Any interest earned from the  
 27 fund [during the period from its inception to May 26, 2000, shall be  
 28 retroactively] shall be credited to the fund.

29 (c) The Client Security Fund shall be used [only] to satisfy the claims  
 30 and provide crisis intervention and referral assistance approved in  
 31 accordance with procedures established pursuant to rules of the  
 32 Superior Court and to pay the reasonable costs of administration of the  
 33 fund.

34 (d) The Commissioner of Revenue Services shall notify the Chief  
 35 Court Administrator or his designee of the failure of any person to pay  
 36 any fee assessed in accordance with subsection (a) of this section.

This act shall take effect as follows:	
Section 1	<i>from passage</i>

**JUD**      *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

**OFA Fiscal Note**

**State Impact:**

Fund-Type	Agency Affected
Client Security Fund - See Below	Judicial Dept.

**Municipal Impact:** None

**Explanation**

The bill allows the Client Security Fund Committee of the superior court to allow the client security fund to provide crisis intervention and referral assistance (lawyers assistance program) to attorneys admitted to the practice of law in Connecticut who have mental health, alcohol, substance abuse or gambling problems.<sup>1</sup> The lawyers assistance program would be funded by up to 50% of any fee increase implemented after the effective date of the bill. According to the Judicial Department, the Client Security Fund Committee is expected to increase the annual fee from \$75 to \$100 in the next fiscal year. Such an increase would yield approximately \$350,000 for the lawyers assistance program annually.

It should be noted that \$75,000 has been appropriated from the General Fund in sHB 5019 (the Revised FY 03 Appropriations Act, as favorably reported by the Appropriations Committee) in FY 03 to provide support for attorneys with substance abuse or psychological issues that may lead to other problems.

<sup>1</sup> The Client Security Fund was established in 1997 to reimburse victims of dishonest conduct by attorneys, and to assess a fee on attorneys for deposit in that fund. The current balance of the fund is about \$4.5 million.

**OLR Bill Analysis**

sSB 620

**AN ACT CONCERNING THE LAWYERS ASSISTANCE PROGRAM****SUMMARY:**

This bill authorizes the Superior Court to establish an attorney assistance program funded by a portion of the annual fees Connecticut attorneys pay to the Client Security Fund (Superior Court judges establish these fees, which currently are \$75 per year.) The bill authorizes the program to provide crisis intervention and referral assistance to licensed Connecticut attorneys who have mental health, alcohol, substance abuse, or gambling problems. The program would be run under rules the Superior Court judges adopt.

The bill specifies that up to 50% of any increase in the annual fee that occurs after the bill becomes law may be used to fund the assistance program. It authorizes the judges to periodically determine the specific percentage or dollar amount of any fee increase for such assistance.

EFFECTIVE DATE: Upon Passage

**COMMITTEE ACTION**

Judiciary Committee

Joint Favorable Substitute

Yea 40    Nay 0