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**Written Testimony of the Connecticut Bar Association Pro Bono Committee
In Support House Bill 5270, An Act Concerning Foreclosure Mediation
Banks Committee
March 11, 2010**

The Pro Bono Committee of the Connecticut Bar Association ("Bar") respectfully submits this written testimony in support of House Bill 5270, An Act Concerning Foreclosure Mediation, as well as any other forthcoming legislation that will operate to extend the Judicial Branch Foreclosure Mediation Program ("Mediation Program") beyond one year from its current termination date of June 30, 2010, such as House Bill 5369. Specifically, House Bill 5270 would amend Connecticut General Statutes §49-31n and extend from June 30, 2010 the termination date of the Judicial Branch Foreclosure Mediation Program to June 30, 2011.

In the Fall of 2007, the leadership of the Bar was alerted to the rapid increase in the number of foreclosure cases filed in Connecticut's Superior Courts, with a correspondingly large number of homeowners forced to proceed pro se because they could not afford to hire counsel. Recognizing that the provision of attorneys to these defendants could help many save their homes either through loan workouts or legal defenses, the Bar's Pro Bono Committee has worked since then with Statewide Legal Services and the CT Fair Housing Center to recruit and train the Foreclosure Prevention Pro Bono Panel ("Panel"). In addition to representing eligible homeowners¹ on a pro bono basis in foreclosure proceedings, Panel attorneys work with staff counsel from the CT Fair Housing Center and Statewide Legal Services, in cooperation with the University of Hartford, to conduct clinics across the state to educate homeowners, many of whom are unable to afford lawyers of their own, about how best to navigate the foreclosure process, including participation in the Mediation Program.

In addition to its salutary effects with respect to alleviating the courts' increasingly congested foreclosure calendars, the Mediation Program has been strikingly successful during its relatively short existence. Because the Mediation Program requires the mortgage company to have a representative present during the session with the authority to agree to a proposed settlement, it has given homeowners and their children the opportunity to accomplish a loan workout that otherwise might not have been possible. The numbers speak for themselves. As of August, 2009, the Mediation Program had handled more than 4000 cases, 75 percent of which were settled. Of that 75 percent, 62 percent of the cases resulted in a settlement under which the homeowner remained in their home; the other 13 percent resulted in settlements under which the homeowner was able to leave the home via a negotiated short sale, or extended law day or sale date.

The success of the Bar's pro bono efforts, both in providing direct representation and reaching out to a larger population of distressed homeowners through the foreclosure clinics, is directly correlated to the existence of the Mediation Program. In this time of great economic crisis, we respectfully urge you to continue this vital resource by approving House Bill 5270.

¹Because of the Panel's limited resources, including the need for intake assistance from Statewide Legal Services, direct representation on a pro bono basis is available only to homeowners with incomes less than 200 percent of the federal poverty level, which is \$22,050 for a family of four in 2010.