



**STATE OF CONNECTICUT
JUDICIAL BRANCH**

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**Testimony of Deborah J. Fuller
Judiciary Committee Public Hearing
April 8, 2011**

Senate Bill 1237, An Act Concerning Standards for Pro Se Representation in Civil Matters

Thank you for the opportunity to submit testimony, on behalf of the Judicial Branch, on Senate Bill 1237, *An Act Concerning Standards for Pro Se Representation in Civil Matters*. It is clear that the purpose of this bill is to try to address the difficult problems associated with the rising number of self-represented parties in our state courts.

We appreciate the proponent's interest in this important issue and would be happy to work together. To give you an idea of the numbers, in 2010 an astounding 84 percent of all family cases and 27 percent of all civil cases had at least one party who was self-represented. We are seeing increases in self-represented parties across the board, including in criminal and housing cases. It becomes an even more critical problem when you consider that legal aid organizations are able to meet only a small fraction of the legal needs of those who cannot afford an attorney.

To address this issue, Chief Justice Rogers recently appointed a Pro Bono Committee that brings together leaders of the private bar, the legal aid community and senior in-house attorneys at some of our largest Connecticut-based companies. The goal of the committee is to increase the number of attorneys willing to assist people who cannot afford legal services.

Among the committee's initiatives is a summit in September that will bring together leaders of the bench, the bar and corporate communities. The purpose of the summit is to provide easily accessible information and resources to attorneys interested in pro bono work. We fully expect that this event will generate an even greater commitment of time and resources by talented attorneys committed to assisting those in need.

I should note that we already have two volunteer attorney programs up and running -- one in Hartford, the other in Waterbury. Both of these programs are in the area of family law and utilize volunteer attorneys who are experienced family practitioners. As of March 2011, these dedicated attorneys had assisted more than 650 self-represented parties. We hope to expand the program to the New Haven foreclosure docket in May.

Our court service centers and public information desks also provide invaluable assistance and resources to court patrons. These centers provide assistance in completing forms. They also provide access to computers and fax machines, as well as other resources.

The Branch has also created "plain language" brochures. In addition, family forms have been grouped by case types on the website, making them easier to find and download.

And, while these efforts are noteworthy, we agree that more needs to be done. Unfortunately, we do have some concerns with the bill as drafted. It would require the judges of the Superior Court to adopt rules of procedure to allow the "unbundling" of legal services. Please note that a statutory change is not necessary to permit the "unbundling" of legal services. Recognizing the importance of this concept, however, a committee of the Judicial Branch and a committee of the CBA have been looking into this issue.

The bill would also require the Chief Court Administrator to establish a mandatory training program for self-represented parties. This would require a significant time and resource investment that would include the development and production of the resource materials, the updating of the training and the materials, and the scheduling of these trainings, with the potential for evening/weekend trainings given the fact that many self-represented parties would not be available during regular hours. It would also require time devoted to training the volunteer attorneys.

In conclusion, as I mentioned earlier, we are happy to work with the proponents of this proposal to try to address this very important issue.

Thank you.