

A Call to Action: Connecticut Lawyers Partner with Legal Aid and Area Shelters to Help Victims of Domestic Violence



By Edward Heath and Jamey Bell

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Victims of domestic violence face multiple risks of harm—to their physical and emotional safety, parenting and family relationships, livelihoods, and more. Advocacy that is victim-defined can go a long way toward reducing those risks and increasing safety, stability, and well-being for the victim and his or her family. Legal advocacy—helping victims gain court-issued protections such as restraining orders—is also crucial to enabling victims to move forward with their lives.

Unfortunately, available legal resources fall far below the need. Connecticut family court judges estimate that 85 percent of litigants appearing before them lack counsel. Though family is a high-demand area for legal aid programs, they can typically serve only one in five of those who are eligible. There is great need for pro bono lawyers from the private bar in family cases, yet historically it has been difficult to find volunteers for a variety of reasons.

Many lawyers are unwilling to take on family cases pro bono due to a lack of prior experience, believing the time needed to learn the procedural and substantive law is unmanageable. Other potential volunteers decline these cases because of the perception that the project will be never-ending and the stakes are too high.

It is true that lawyers appearing in any case—pro bono or paid—need to be well-versed in the relevant court procedures and substantive law, but this level of competence is readily achievable through training and ongoing peer support offered by legal aid organizations and others. The new limited scope representation rules mean that a lawyer's involvement can be expressly limited in time and scope. It is also true that the stakes are high—domestic violence cases can involve physical violence and merciless intimidation on the one hand, or false accusations that could destroy a person's reputation on the other. This is all the more reason that good pro bono lawyers are needed to capably bring these issues before a trier of fact.

Robinson + Cole lawyers faced these challenges when they explored a family court pro bono project in 2012. Fortunately, Connecticut Legal Services, the Connecticut Coalition Against Domestic Violence, Greater Hartford Legal Aid, and two domestic violence shelters—New Horizons in Middletown and Interval House in Hartford—were eager to help train and support the project's lawyers.

The project's work involves receiving referrals from the shelters or other sources, assisting the low income client with the application for a restraining order, and then appearing, if necessary, at a subsequent evidentiary hearing. The time commitment and engagement is discrete. R+C's lawyers have typically scheduled a specific block of time each month for the project. Volunteers have included both litigators and transactional lawyers, none of whom were previously involved in family law practice. The more than a dozen R+C lawyers involved since 2012 have spent hundreds of hours helping victims of domestic violence and their families, often including young children, seek restraining orders in Hartford and Middletown. They have gained great practical experience and immeasurable personal and professional satisfaction as a result. Shelter directors report that helping clients achieve an initial degree of protection at this crucial early stage can set a foundation for longer term safety and stability, and that the partnership of shelter advocates and lawyers is particularly effective and empowering for victims.

In concert with Connecticut Legal Services and a local domestic violence shelter, Carmody & Torrance has recently begun a similar pro bono project in Waterbury. A referral relationship has been established with the shelter, and some 15 non-family lawyers have been trained by Connecticut Legal Services. Carmody's leadership in expanding the concept to other parts of the state shows that this kind of program can be replicated with reasonable effort and collaboration with legal aid and others.

More recently, in-house lawyers at businesses and nonprofit organizations have expressed a willingness to work with law firms to develop similar programs in family courts elsewhere in the state.

With the support of Connecticut's legal aid organizations, the obstacles to taking on family court pro bono matters are not nearly as challenging as many lawyers may believe. The need for volunteers in this area is great and, fortunately, opportunities to learn the necessary skills and to participate are growing.

For information on how to set up a similar program at your firm or business, please contact Jamey Bell at jbelle@ghla.org or Edward Heath at eh Heath@rc.com. **CL**