

STATEWIDE LEGAL SERVICES OF  
CONNECTICUT, INC.

BOARD OF DIRECTORS  
HANDBOOK

JANUARY 31, 2011

**STATEWIDE LEGAL SERVICES OF  
CONNECTICUT, INC.**

**BOARD OF DIRECTORS & STAFF LISTING**

JANUARY 31, 2011

STATEWIDE LEGAL SERVICES OF CONNECTICUT, INC.  
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ALICE CSERE	Bookkeeper	3038
ANA PADRON	Intake Specialist	3031
BLANCA TROCHE	Intake Specialist	3032
BRECE BOYSON	Attorney	3021
CARMEN SALDANA	Paralegal	3016
CLAUDIA MAGNAN	Paralegal	3009
DEBBIE COOK	Paralegal	3019
ELIZABETH PISARSKI-BUCHHOLZ	Attorney	3013
EMMA LOPEZ	Paralegal	3006
JANE KINNEY KNOTEK	Deputy Director	3004
JANICE CHIARETTO	Exec. Director	3017
JODY BOHRNE	Intake Specialist	3053
JOHN BOZZI	PB Coordinator	3040
KAREN BORGNE	Paralegal	3003
KATHY DANIELS	IT	3026
KATHY FLAHERTY	Attorney	3020
MARGARET HOLM	Paralegal	3001
MARY BERGER	Exec. Secretary	3014
MOSES BECKET	Attorney	3002
MIGUEL AYALA	Paralegal	3018
NILDA RODRIGUEZ	Intake Specialist	3027
RHODA MICOCCI	Attorney	3015
ROSA BETANCOURT	Paralegal	3022
ROSABELLE VARGAS	Intake Specialist	3029
SARA RAMOS	Program Administrator	3005
SOL NEGRON	Paralegal	3010
TAMMY LARACUENTE-RISSOLO	PB Coordinator	3037
THERESA SANFORD	Intake Specialist	3039
WENDY VAZQUEZ	Intake Specialist	3028

STATEWIDE LEGAL SERVICES OF  
CONNECTICUT, INC.

BOARD OF DIRECTORS  
BYLAWS

BYI AWS OF BOARD OF DIRECTORS.

STATEWIDE LEGAL SERVICES OF CONNECTICUT, INC.

ARTICLE I

NAME

The name of the Corporation is STATEWIDE LEGAL SERVICES OF CONNECTICUT, INC (the "Corporation")

ARTICLE II

DIRECTORS

- 2.1 Authority and Number. The business, property and affairs of the Corporation shall be under the care and management of a Board of not less than five (5) directors. The number of directorships shall be the number fixed by resolution of the directors, or, in the absence thereof, shall be the number of directors serving at the close of the preceding annual meeting of the Corporation
- 2.2 Election and Appointment. The number of directorships shall be determined by the Board at the Annual Meeting, but in no case shall there be less than five directors. In order to comply with the requirements of the Legal Services Corporation Act (42 USC Sec. 2996 et. Seq.) and any regulations promulgated there under, at least sixty percent of the Board shall be attorneys and at least one-third shall be persons eligible to be clients of Statewide Legal Services. All Board members shall be supportive of, have an interest in, and knowledge of the delivery of quality legal services to the poor. Each director shall hold office until his or her successor is appointed. No director shall be appointed to serve for a shorter term than one year nor for a longer term than five years. Appointments shall be made as follows:

The Hispanic Bar Association and the George Crawford Society shall each appoint one attorney director and the Connecticut Bar Association shall appoint a sufficient number of attorneys so that the total number of attorneys represents at least sixty percent of the directors.

At the Annual Meeting, the Board shall name organizations, neighborhood associations, or community-based groups to appoint client-eligible Board members.

Subject to the requirements for attorney and client-eligible Board members, the Board may appoint additional at-large members.

- 2.3 Vacancies. Vacancies shall be filled by the organization making the original appointment pursuant to Section 2.2 for the unexpired portion of the term of his or her predecessor in office.
- 2.4 Meeting and Notices Annual meetings of the Board shall be held at the principal offices of the Corporation unless otherwise specifically directed by the President. Annual meetings shall be held on such day after the end of the Corporation's fiscal year as the Board of Directors shall determine, at such hour as shall be specified in the notice of the meeting, for the purpose of fixing the number of directorships and selecting appointing organizations, electing officers for the ensuing year, receiving reports from the Executive Director and the Corporation's other officers, agents and committees, and transacting such other business as may properly come before the meeting. Notice of the annual meeting shall be in writing and shall be mailed to all directors at least ten days before the annual meeting.

Regular meetings of the directors may be held at such times and places as, in the opinion of the President or a majority of the directors, the interests of the Corporation shall require, reasonable notice having been given thereof.

Special meetings of the directors shall be held whenever called by the President or by the Secretary upon the written request of at least one-third of the directors. At least two days' written or oral notice stating the time, place and purpose of special meetings shall be given to each director. No business other than that stated by the notice of special meeting may be conducted.

A written waiver signed at any time by a director entitled to notice shall be the equivalent to the giving of notice. The attendance of any director at a meeting without protesting prior to the commencement of the meeting the lack of proper notice shall be deemed to be a waiver by such director of notice of the meeting.

- 2.5 Quorum, Action by Board of Directors and Adjournment. One-third of the directors then serving shall constitute a quorum for the transaction of business; and the act of a numerical majority of the directors present at a meeting at which a quorum is present shall be the act of the Board of Directors, unless the presence of or act of a greater number of directors is specifically required by these Bylaws, the Corporation's Certificate of Incorporation, or the Connecticut General Statutes. If a quorum shall not be present at any meeting of directors, a majority of the directors present at such meeting may adjourn the meeting from time to time, without notice other than announcement at the meeting, until a quorum shall be present.
- 2.6 Action Without a Meeting. Any action which may be taken at a meeting of the Board or of a committee of the Board may be taken without a meeting if a consent in writing, setting forth the action so taken, or to be taken, shall be signed by all of the directors or all of the committee members entitled to vote with



respect to the subject matter of such meeting, and the number of such directors or committee members, as the case may be, constitutes a quorum for such action. Such consent shall be filed with the minutes of the directors' or committee's meetings.

- 2.7 Meeting By Conference Telephone. A director or a member of a committee of the Board of Directors may participate in a meeting of the Board of Directors or of such committee by means of conference telephone or similar communications equipment enabling all directors or all committee members participating in the meeting to hear one another, and participation in a meeting shall constitute presence in person at such meeting.
- 2.8 Resignations. The resignation of any director shall be in writing and shall be effective immediately upon receipt by the Corporation if no time is specified, or at such later time as the resigning director may specify and the Corporation shall accept.
- 2.9 Removal of Directors. Unless otherwise required by the Legal Services Corporation Act, any director may be removed at any time without cause by the affirmative vote of two-thirds of directors then serving at a special meeting of the directors called expressly for the purpose of considering such removal.
- 2.10 Compensation. No director shall receive compensation for services rendered to the Corporation in such capacity, but directors shall be entitled to reimbursement for expenses actually incurred in connection with the performance of their duties in the manner and to the extent that the Board shall determine. In addition, directors may receive reasonable compensation for services performed in other capacities for or on behalf of the Corporation, consistent with the requirements of Connecticut General Statutes § 33-457, as it may be amended.

### ARTICLE III COMMITTEES OF THE BOARD

- 3.1 Creation. The Board of Directors may designate, at any meeting of the Corporation, two or more directors to constitute standing or ad hoc committees of the Board, which may include an Executive Committee.

Such Committees shall have such functions and may exercise such power of the Board of Directors as can be lawfully delegated and as provided in the resolution or resolutions creating such Committee or Committees. Unless otherwise determined by the Board of Directors, Committee Chair and members of committees shall be appointed by the President. The creation of such Committee or Committees shall not operate to relieve the Board of Directors, any individual director, or the officers of any responsibility imposed on such persons by law

- 3.2 Meetings. Regular meetings of Committees may be held at such time and such place as shall from time to time be determined by such Committees, reasonable notice having been given thereof, and special meetings of Committees may be called by any Committee member upon two days written or oral notice to the other members of such Committee, or upon such shorter notice as may be agreed to in writing by each of the other members of such Committee, given either personally or in the manner provided in these Bylaws pertaining to notice for Board of Directors' meetings.

A written waiver signed at any time by a Committee member entitled to notice shall be the equivalent to the giving of notice. The attendance of any Committee member at a meeting, without protesting prior to the commencement of the meeting the lack of proper notice, shall be deemed to be a waiver by such Committee member of notice of the meeting.

- 3.3 Vacancies. Vacancies on Committees shall be filled by the President.
- 3.4 Quorum. A majority of the membership of each Committee shall be necessary to constitute a quorum.
- 3.5 Manner of Acting. The act of a majority of the members of a Committee present at any meeting at which there is a quorum shall be the act of such Committee.
- 3.6 Minutes. Each Committee shall keep regular minutes of their proceedings and report the same to the Board of Directors when requested.

#### ARTICLE IV OFFICERS

- 4.1 Offices, Appointment, Term and Vacancies. The officers of the Corporation shall consist of a President, Secretary and Treasurer. The directors shall elect all of the foregoing officers and may elect such other officers, including one or more Vice Presidents, Assistant Secretaries, Assistant Treasurers, and an Executive Director, as they shall deem appropriate. Any two or more offices may be held by the same person, except the offices of President and Secretary.

Officers other than an Executive Director shall be elected at the annual meeting of the Board of Directors for a term extending until the next succeeding annual meeting. Each such elected officer shall hold office for the term for which he or she is elected and until his or her successor has been elected and qualified. Any vacancy or vacancies occurring in any office of the Corporation may be filled for the unexpired term at a duly called meeting of the Board of Directors by the affirmative vote of a majority of the directors voting thereon, even though such

voting directors may be less than a quorum, and even though the number of directors at the meeting may be less than a quorum)

- 4.2 President. The President shall preside at each meeting of the directors and shall have such powers and duties as usually pertain to the office of President. In general, the President shall consult with and advise the Executive Director, if any, with respect to the achievement of the mission of the Corporation and shall perform such other duties as may from time to time be assigned to him or her, or specifically required to be performed by him or her, by these Bylaws, by the Board of Directors or by law. If no Executive Director is elected, the President shall assume the duties of the Executive Director.
- 4.3 Vice Presidents. It shall be the duty of each Vice President, in the absence of the President, to perform the President's duties. The Vice Presidents shall also perform such other duties as may be assigned to them, or specifically required to be performed by them, by these Bylaws, by the Board of Directors or by the President.
- 4.4 Secretary. It shall be the duty of the Secretary to act as Secretary of and keep or supervise the keeping of the minutes of all meetings of the Board of Directors; to cause to be given notice of all meetings of directors; to be custodian of the seal of the Corporation and to affix the seal, or cause it to be affixed, to all documents, the execution of which on behalf of the Corporation under its seal, shall have been specifically or generally authorized by the Board of Directors; to supervise the maintenance of the books, records and papers of the Corporation relating to its organization as a Corporation and to see that the reports, statements and other documents required by law are properly kept or filed; and, in general, to perform all the duties incident to the office of Secretary and such other duties as may from time to time be assigned to him or her by the Board of Directors or by the President, or specifically required to be performed by him or her, by these Bylaws or by law.
- 4.5 Treasurer. The Treasurer shall supervise the receipt and custody of the Corporation's funds; cause to be kept correct and complete books and records of account, including full and accurate accounts of receipts and disbursements in books belonging to the Corporation; assume responsibility for all funds and securities of the Corporation; prepare, distribute and retain or cause to be prepared, distributed and retained all reports, records and returns required by law regarding the Corporation's financial status; and perform such other duties as may be assigned to him or her, or specifically required to be performed by him or her, by the Board of Directors or by the President.
- 4.6 Executive Director. The Executive Director shall serve at the pleasure of the Board of Directors. The Executive Director shall be the chief executive officer of the Corporation and shall have general supervision over the business of the Corporation, subject to the control of the Board of Directors. The Executive

Director shall see that all orders and resolutions of the Board of Directors are carried into effect. In general, the Executive Director shall perform other duties as may from time to time be assigned to him or her, or specifically required to be performed by him or her, by these Bylaws, by the Board of Directors or by law. In addition, the Executive Director, and such other officers or individuals as the Board of Directors may designate, is authorized to sign grant documents and contracts to secure funding to carry out the purposes of the Corporation and to sign contracts or agreements to lease or purchase supplies, services, equipment and office space necessary to support its operations. The compensation and terms of employment of the Executive Director shall be determined at least annually by the Board of Directors. The Board will meet in executive session to evaluate the Executive Director's performance and decide upon the annual salary of the Executive Director.

If no Executive Director is elected, the President shall assume the duties of the Executive Director.

- 4.7 Removal. Any officer of the Corporation may be removed at any time, without cause, by resolution adopted by the affirmative vote of a majority of all of the then serving directors, but without prejudice to such officer's contract rights, if any.

#### ARTICLE V FINANCIAL MATTERS

- 5.1 Checks. All checks or demands for money and notes of the Corporation shall be signed by such or more officers as are designated by resolution of the Board of Directors.
- 5.2 Annual Budget. The President and/or Treasurer shall submit an annual budget to the Board of Directors at the annual meeting of the Board, which budget may be adopted by a two-thirds vote of all the then serving directors.

#### ARTICLE VI AMENDMENTS

These Bylaws may be repealed or amended by their affirmative vote of two-thirds of all then serving directors at the first meeting of the Board of Directors, and (provided that written notice of such proposed action shall have been given in the call for the meeting of such directors at which such amendment or repeal is to be acted upon) at any subsequent meeting of the Board of Directors. At any meeting at which notice has been given that amendment or repeal is to be acted upon, resolutions modifying such proposed amendments or repeal may be made and adopted at such meeting without further notice. Notice of any such modification shall subsequently be given to all then serving directors.

Any amendment of the provisions of these Bylaws that conflicts with any provision of the Certificate of Incorporation shall be null and void.

ARTICLE VII  
GENERAL PROVISIONS

- 7.1 Gender. The gender and the number of any word shall be construed to include another gender or number whenever appropriate.
- 7.2 Principal Office. The principal office of the Corporation shall be located at such place as the Board of Directors may from time to time designate for the transaction of corporate business.
- 7.3 Fiscal Year. The fiscal year of the Corporation shall be January 1 to December 31 unless otherwise fixed by action of the Board of Directors.
- 7.4 Indemnification. The Corporation shall indemnify directors, officers, employees and agents of the Corporation to the extent provided in and permitted by the Connecticut General Statutes. The Corporation may procure insurance providing greater indemnification and may share the premium cost with any director, officer, employee or agent on such basis as may be agreed upon.

Approved June 12, 1996.

STATEWIDE LEGAL SERVICES OF  
CONNECTICUT, INC.

WORK RULES

JANUARY 31, 2011

### HOURS OF WORK

- Normal work hours are 8:45 a.m. until 4:45 p.m., Monday through Friday. Advocates and Screeners must log onto the phones according the published schedule.
- All employees not engaged in SLS business during normal work hours must use leave time as authorized by the Collective Bargaining Agreement.
- Work during other than normal work hours must be approved in advance by SLS.

### TIMEKEEPING

- All Advocates must keep contemporaneous records of all time for which compensation is paid. These time records must be entered into the computer program designated by SLS.
- Time must be reported in increments of no greater than 15 minutes. Each time record must indicate whether the time is spent on a case, matter, or support.
- All time records involving time spent on a particular case must include the case number.
- All employees must complete a weekly payroll time sheet as designated by SLS.

### CASE MANAGEMENT

- All information relating to contact with clients must be entered into the computer case management system designated by SLS.
- Advocates' notes must include description of the facts of a case, a summary of advice or information provided, and a description of any action taken on behalf of the client. Advocates must close a case file when all work on behalf of a client is completed. All data required by computer case management system must be entered and a hard copy of the case file and appropriate letter printed.
- After being printed all case files must be reviewed and approved by a Managing Attorney or her designee. Staff attorneys doing case reviews may refer questionable cases to a Managing Attorney or Executive Director for approval. Except in unusual circumstances, the attorney doing case review should not review his/her own cases. Most case files will be closed after the initial client call. Any case which requires action beyond the initial client call must be marked in the computer file as pending. Advocates are responsible for following up and completing work on pending cases as quickly as possible. If an advocate will be away from the office for an extended period of time he/she shall notify the appropriate Managing Attorney about the status of any cases which may require some action during the absence.
- SLS advocates may represent clients in court or before administrative agencies or prepare cases for such representation only with the prior approval of a Managing Attorney or the Executive Director. If such representation is undertaken the advocate must consult with and keep the appropriate Managing Attorney informed of all significant steps and developments in the case. For cases involving such direct representation the Advocate must maintain a case file which

includes the following:

- Computerized case file information required of all clients
  - A retainer agreement and citizenship attestation signed by the client. If the client is not a citizen, copies of documents verifying immigration status must be included.
- A Statement of Facts form signed by the client if required. (A copy of the Statement of Facts must be provided to the Executive Director when the case is opened.)
- Copies of all pleadings, briefs, letters, and other documents created or obtained in connection with the case.
  - If not maintained in the computer file, notes recording significant events, conversations, actions taken, and advice provided.
- When the case is closed the file must be given to the Executive Director for final review.
- SLS will maintain these case files for a period of .5 years from the date of closure.

#### MISCELLANEOUS PROVISIONS

- Casual dress is permitted as long as it is in keeping with the decorum required in a professional office.
- When the building fire alarm sounds all employees and visitors must leave the building immediately by the safest exit. Employees who are on the telephone when the alarm sounds should quickly tell the caller that the alarm is sounding and therefore he/she must hang up, and as appropriate, either that the employee will call back or that the caller should call later. Once outside, employees should assemble in the municipal parking lot at the rear of the building. Employees should remain there until given instruction by a supervisor.
- The inside office door is to remain locked at all times.
- In order to maintain a professional atmosphere, to protect the confidentiality of client's information, and maintain a safe work environment, social visits from non-employees should be limited in frequency, duration, and number of visitors. An employee expecting a visitor should notify a Supervisor and the Secretary/Receptionist in advance. If a visitor arrives un-announced the Secretary will notify the employee without permitting the visitor into the office. An employee who has an un-announced visitor should check with a Supervisor before permitting the visitor into the office.
- Each of us has a responsibility to help protect fellow employees from dangerous situations. An employee who witnesses an incident which constitutes an emergency should call 911 and then notify a Supervisor. An employee who witnesses an incident that is threatening or potentially dangerous, but not yet an emergency, should notify a Supervisor.

#### USE OF PROGRAM EQUIPMENT AND TECHNOLOGY GENERALLY

All furniture, consumable supplies, computers, computer software, printers, scanners, telephone systems, voicemail systems, e-mail systems, postage meters, Internet access



systems, and any similar property, equipment or systems within SLS's offices are the sole property of SLS. Except as noted below, use of SLS's property is to be used exclusively to further SLS's mission.

Employees are permitted reasonable personal use of program property except postage meters, provided that this use occurs on that staff person's personal time, the staff person reimburses the program for any direct costs associated with the use, and the use doesn't interfere or conflict with SLS's programmatic use of property, equipment, or systems. Employees making personal long distance phone calls should record the time, date, and number called on the form provided. Employees will be billed the actual cost of the call.

Under no circumstances may employees use SLS's property, equipment or systems for a commercial business venture, to promote any political, religious or other personal causes of the employee, or to engage in any illegal activity.

The property, equipment or systems owned by SLS shall not be used in any way which would infringe upon the rights of the holder of any copyright or trademark.

#### USE OF COMPUTER EQUIPMENT AND SOFTWARE

In order to abide by copyright and licensing laws, to avoid software conflict problems, to provide a consistent and reliable workstation configuration, and, to minimize the risks of computer viruses, only the Computer Specialist or her designee is authorized to install or modify software on SLS's computers.

Only the Computer Specialist or her designee is authorized to repair computer equipment.

Employees may not alter or change user IDs or passwords without the permission of the Computer Specialists.

#### TELEPHONE AND OTHER COMMUNICATIONS POLICIES

Employees should recognize that electronic communications may not be confidential, so care should be exercised when transmitting client information.

Employees should check their voice mail and e-mail regularly during the day. When out of the office for a day or longer, employees should change their voice mail message to inform callers and set an automatic reply for e-mail messages.

Employees may not alter or change voice mail or telephone user IDs or passwords without the permission of Management.

E-mail and voice mail systems should not be used to promote political, religious, or other personal causes by the employee.

While common courtesy should be sufficient incentive to exercise discretion, employees should be aware that electronically created and transmitted documents are not only recoverable even after being "deleted" but discoverable in litigation and thus should not create any documents that would be illegal, offend any one, or subject SLS to embarrassment.

#### HARASSMENT, INTIMIDATION, OTHER OFFENSIVE COMMUNICATION PROHIBITED

SLS's policies prohibiting inappropriate, offensive, harassing, or discriminatory communications apply to electronic communications and use of the Internet as well. Employees should not display, store, print, or transmit sexually explicit images or documents unless doing so is necessary for his/her work. Use of electronic communication for ethnic slurs or epithets, or any expressions that might reasonably be construed as harassment, intimidation, discrimination, or offense to others based upon race, national origin, sex, sexual orientation, disability, or other classification protected by state and federal law is prohibited. Defamatory, libelous or slanderous communications are also prohibited.

#### ELECTRONIC MONITORING

Pursuant to CGS Sec. 31-48d, SLS hereby gives notice to all its employees of the potential use of electronic monitoring in its workplace. While SLS may not actually engage in the use of electronic monitoring, it reserves the right to do so when determined by SLS in its discretion.

"Electronic Monitoring" as defined by CGS Sec 31-48d, means the collection of information on SLS's premises concerning employee's activities or communications, by any means other than direct observation of the employees. The law does not cover the collection of information (A) for security purposes in any common areas of SLS's premises which are open to the public, or (B) which is prohibited under other state or federal law

Except as provided below and unless it provides prior notice to employees modifying this policy SLS may engage in the following specific types of electronic monitoring in its workplace to insure compliance with SLS policies:

- monitoring of e-mail sent and received at any time;
- monitoring the use of Internet access by employees;
- monitoring the content of computer files on SLS computers, including e-mail files;
- monitoring employee use of other components of SLS's property, equipment, and systems; and
- monitoring use of telephone and voice-mail systems.

The law also provides that, where electronic monitoring may produce evidence of misconduct, SLS may use electronic monitoring without any prior notice when SLS has reasonable grounds to believe employees are engaged in conduct that (a) violates the law, (b) violates the legal rights of SLS or other employees, or (c) creates a hostile work environment.

Questions about electronic monitoring in the workplace should be directed to the Executive Director.

## FINANCIAL ELIGIBILITY GUIDELINES

### 1. DEFINITIONS

#### a. Gross Income

Gross income includes all income of members of the applicant's family unit from employment or self-employment (after deductions for business expenses), cash payments from public assistance, social security, unemployment and worker's compensation, strike benefits, veterans' benefits, training stipends, child support, military family allotments, pensions, periodic insurance or annuity payments, income from unrelated persons living with the family unit which are intended for the family unit's support.

Income does not include food or rent in lieu of wages, money withdrawn from a bank or resulting from sale of real or personal property, or from tax refunds, gifts, one time insurance payments or compensation for injury.

#### b. Family Unit

The applicant's family unit includes all persons living with the applicant on a regular basis and who contribute to and/or share financially with the applicant. This test is not to be applied rigidly. A determination of who is included in a family unit will depend upon the actual circumstances. The following guidelines should be used in making the determination of who to include in the family unit:

1. only in highly unusual circumstances will a parent or parents and minor children living together not be considered a family unit.
2. all persons residing in the household who will benefit from legal services should be counted as members of the household.  
(Example: if the applicant is seeking assistance regarding an eviction, everyone in the household is included in the family unit; but, an adult living with his/her parents, who is seeking assistance regarding an SSI matter, would be treated as a single person.)

3. if the applicant is seeking assistance regarding divorce or related family matters and the spouse is still residing in the home, the actual financial relationship of the parties must be examined. (Example: if the spouse is not making any contribution and his income/assets are not available to the applicant, then he is not included in the family unit; if he is making some limited contribution, but not fully sharing expenses, then the actual cash contribution should be included as family income but he is not a member of the family unit.)

## 2. INCOME LIMITS

Gross income received by the members of the applicant's family unit should not exceed the amounts approved each year by the Board of Directors.

### EXCEPTIONS

a. Notwithstanding the guidelines, an applicant may be accepted if his or her gross income does not exceed 187.5% of poverty and,

(I) The applicant is seeking assistance to secure benefits provided by a governmental program for the poor, or,

(II) The applicant's current income prospects, medical expenses, fixed debts and obligations including unpaid taxes, child care, transportation and other necessary employment expenses, and expenses associated with age or physical infirmity of members of the applicant's household, when deducted from gross income, would produce a net income equal to or less than 175% of poverty;

(III) Substantial harm will result to the applicant if assistance is denied and the cost of obtaining private representation renders such representation practically unavailable.

b. An individual whose gross income exceeds 187.5% of poverty may be determined eligible if:

(i) The Executive Director has given prior written consent to the representation after a finding that the applicant's gross income is primarily committed to medical or nursing home expenses.

c. An applicant whose income falls below these guidelines may be rejected if the Executive Director, in the exercise of his/her sound discretion, finds representation inappropriate because of the applicant's current income prospects, because of the availability of low cost

legal representation for the matter in which assistance is sought, or because of other significant factors related to financial inability to afford legal assistance

### 3. ASSET LIMITS

- a. An applicant will not be eligible for services if the household's net assets exceed \$5,000.00
- b. Assets shall be considered for this purpose only to the extent that such assets are accessible to the applicant for the purposes of obtaining counsel. Ownership of non-liquid assets shall only be considered if such assets can realistically be converted to cash without undue disruption of living conditions and without adversely affecting the applicant's legal position.
- c. Applicants who are receiving or applying for GA, AFDC, SSI, State Supp., or Medicaid are presumed not to have excess assets
- d. Assets will not be considered if the applicant has no income and is using the principal in order to meet necessary living expenses.
- e. Specific Exemptions: The following are not counted in calculating an applicant's assets:
  - (i) equity in a home which is the applicant's principle place of residence
  - (ii) one automobile
  - (iii) personal and household effects
  - (iv) equipment used by an applicant or someone in the applicant's family for employment or self-employment.
  - (v) cash value of life insurance or pension
- f. These asset limitations may be waived by the Executive Director in unusual or extremely meritorious situations. Written authorization of the waiver must be kept in the client's file

### DISCLOSURE OF INFORMATION POLICY

- a. This policy shall govern disclosure of information by Statewide Legal Services of Connecticut, Inc. (SLI), or its employees, pursuant to 45 C.F.R. § 1619 and 5 U.S.C. § 552.
- b. The Executive Director is designated the freedom of information officer.
- c. The Executive Director shall maintain a library consisting of:
  - 1. The Legal Services Corporation Act;
  - 2. Legal Services Corporation rules, regulations and guidelines;

3. SLS's written policies, procedures and guidelines;
4. The names and addresses of the Board of Directors of SLS;
5. Such other supplemental materials as may be determined by the Executive Director or the Board of Directors to be appropriate.

d. These materials shall be available for inspection by members of the public, upon request, during normal working hours of SLS.

e. The following is protected information and may not be disclosed to anyone not an employee of Statewide Legal Services of Connecticut, Inc.:

1. Any information furnished to SLS by an applicant for legal services, or a client or former client.
2. The work product of any attorney or paralegal
3. Any material utilized by SLS in providing representation to clients.
4. Any other material, the disclosure of which would violate the Rules of Professional Responsibility.
5. Information about individual employees.

f. All requests for additional or other materials and records shall be directed to the Executive Director who shall either:

1. Make available the requested material, or
2. Deny access to the requested material and advise that a formal request may be filed under the provisions of the Freedom of Information Act.

#### CLIENT GRIEVANCE PROCEDURE

From time to time applicants who are denied service because of financial eligibility or priority reasons will question that decision. Staff should attempt to fully explain the basis for the decision. Similarly, clients will sometimes question the appropriateness, scope, or quality of services provided. In such cases staff should also try to fully explain what was done and why. If applicants or clients continue to be dissatisfied after these discussions, the following procedures are to be followed:

-The staff person should advise the applicant/client of the right to discuss the matter with a supervisor. If the appropriate supervisor is available the call should be transferred. If not, the client/applicant should be given the name and telephone extension of the supervisor and invited to call.

- If the supervisor cannot resolve the matter to the satisfaction of the client/applicant the supervisor should advise the applicant/client of the right to discuss the matter with the Executive Director. If the Executive Director is available the call should be transferred. If not, the client/applicant should be given the name and telephone extension of the Executive Director and invited to call.

The Executive Director's decision regarding eligibility is final. If, after discussion with the Executive Director a client is still dissatisfied with the appropriateness, scope or quality of service the Executive Director should advise the client of the right to appeal the matter to the Human Resources Committee of the Board of Directors.

- Complaints by clients to the Human Resources Committee must be in writing. Clients should be offered the assistance of staff to transcribe a brief written statement for submission to the Committee and inclusion in the client's file.

The Human Resources Committee shall schedule a meeting at the mutual convenience of Committee members and the client to discuss the grievance. The decision of the Committee on disposition of the matter is final.

- Any staff, supervisors, or the Executive Director who discuss complaints by either applicants or clients shall summarize the substance of the complaint and their conversations in the case notes. In addition, supervisors shall report to the Executive Director regarding any complaints pursuant to this procedure.

- The Executive Director shall maintain a log of complaints, including the case file number, the general nature of the complaint and the resolution.

#### PROHIBITED ACTIVITIES

##### Sec. 1 - Public Statements

Any employee may make public statements as a private citizen on any subject, but if the subject relates to SLS, he/she should state clearly that, unless authorized to do so, he/she does not speak for or on behalf of SLS. SLS will not restrict any employee's rights of free speech, but does request each employee who speaks on matters relating to SLS to consider what effect his/her statements may have on SLS.

##### Sec. 2 - Public Demonstrations and Other Activities

While engaged in activities within the scope of employment, no employee shall knowingly participate in or intentionally exhort, direct or coerce others to participate in any public demonstration, picketing, boycott, strikes, riot, civil disturbance or illegal activity in

violation of 45 C.F.R. § 1612.2.

### Sec. 3 - Political Activity

- a. No employee shall at any time intentionally identify SLS with any partisan or non-partisan political activity associated with a political party or association, or the campaign of any candidate for public or party office
- b. No attorney may be a candidate in a partisan political election.
- c. While engaged in activities within the scope of employment with SLS, no employee may carry out any political activity, provide voters with transportation to the polls or similar assistance, or carry out any voter registration activity.

### OUTSIDE EMPLOYMENT (ATTORNEYS)

- a. Attorneys employed full time by SLS may not engage in the outside practice of law for personal compensation of any kind. Attorneys employed less than full time may engage in the compensated practice of law with the written permission of SLS and after a plan is developed which insures that
  1. no work for private clients is done during time compensated by SLS;
  2. the part time attorney employee will not charge a fee for representation to any person who has contacted SLS regarding a legal matter;
  3. there will not be any confusion, especially with regard to clients, as to when the part-time attorney is acting in her/his capacity as a SLS employee and when he/she is acting in a private capacity;
  4. the Rules of Professional Responsibility regarding conflicts and confidentiality will be strictly adhered to.
2. Attorneys may engage in uncompensated outside practice of law if all of the following conditions are met:
  - a. It is done outside of SLS working hours and at no expense to SLS;
  - b. The client is a close friend, a family member, or a religious, community or charitable group;
  - c. The representation will not conflict or interfere with the attorney's SLS responsibilities, as determined by SLS;
  - d. The representation is approved in advance by SLS; and
  - e. The client(s) are informed, in writing, that the attorney is providing the representation in a private capacity and not as an employee of SLS.



3. Attorneys shall not engage in activities for which compensation is paid by a party other than SLS except with the prior approval of SLS and in accordance with the following rules:
  - a. All such compensated activities which involve training of SLS or other legal services staff members or others working at SLS or other training pursuant to a SLS project or activity shall be approved only as part of an attorney's SLS work responsibilities and all compensation shall be assigned to SLS; and
  - b. All other such compensated activities may be approved provided they are conducted outside of SLS working hours and do not conflict or interfere with the attorney's SLS responsibilities or the interests of SLS.
4. The provisions of Sections 2 and 3 shall not apply during a leave without pay.

#### FEE-GENERATING CASES

A. "Fee-generating case" means any case or matter which, if undertaken on behalf of an eligible client by an attorney in private practice, reasonably may be expected to result in a fee for legal services from an award (1) to a client, (2) from public funds, or (3) from the opposing party.

"Fee-generating case" does not include a case where (1) a court appoints SLS or an employee of a SLS to provide representation in a case pursuant to a statute or a court rule or practice equally applicable to all attorneys in the jurisdiction, or (2) SLS undertakes representation under a contract with a government agency or other entity

B. Subject to policies regarding direct representation of clients, SLS will provide legal assistance in a fee-generating case only if:

1. The case has been rejected by the local lawyer referral service, or by two private attorneys; or
2. Neither the referral service nor two private attorneys will consider the case without payment of a consultation fee.

SLS may provide legal assistance in a fee-generating case without first attempting to refer the case pursuant to paragraph (A) of this section only when :

1. An eligible client is seeking only statutory benefits, including but not limited to, subsistence benefits under Subchapter II of the Social Security Act, 42 U.S.C. 401 *et seq.*, as amended, Federal Old Age, Survivors, and Disability Insurance Benefits; or Subchapter XVI of the Social Security Act, 42 U.S.C. 1381 *et seq.*, as amended, Supplemental Security Income for Aged, Blind,

- and Disabled.
2. SLS, after consultation with appropriate representatives of the private bar, has determined that the type of case is one that private attorneys in the area served by the recipient ordinarily do not accept, or do not accept without prepayment of a fee; or
  3. The executive director, or the director's designee, has determined that referral of the case to the private bar is not possible because:
    - (i) Documented attempts to refer similar cases in the past generally have been futile;
    - (ii) Emergency circumstances compel immediate action before referral can be made, but the client is advised that, if appropriate and consistent with professional responsibility, referral will be attempted at a later time; or
    - (iii) Recovery of damages is not the principal object of the recipient's client's case and substantial statutory attorneys' fees are not likely to be available.

#### CRIMINAL PROCEEDINGS

It is impermissible for any individual, while engaged in legal services activities funded by Statewide Legal Services of Connecticut, Inc., to provide legal assistance with respect to a criminal proceeding or in an action in the nature of a habeas corpus seeking to collaterally attack a criminal proceeding.

#### CLASS ACTIONS

It is impermissible for any individual, while engaged in legal assistance activities funded by Statewide Legal Services of Connecticut, Inc., to initiate or participate in any class action suit. For purposes of this policy, class action suit refers to a lawsuit filed as, or otherwise declared by the court having jurisdiction over the case to be, a class action pursuant to Rule 23 of the Federal Rules of Civil Procedure or Rule 87 et seq. of the Connecticut Rules of Civil Procedure.

This limitation does not preclude the representation of multiple parties or eligible groups; nor does it proscribe the use of other relevant judicial or statutory procedures, including those related to: third party practice; joinder; interpleader; intervention; consolidation; mandamus, declaratory judgment; or injunctive relief.

To initiate or participate in any class action means that any individual, while engaged in legal assistance activities funded by Statewide Legal Services of Connecticut, Inc., may not be involved at any stage of a class action prior to an order granting relief, including acting as an

amicus curiae, co-counsel or providing legal assistance to an individual client who seeks to, intervene in, modify, or challenge the adequacy of the representation of a class.

However, participating in a class action does not include non-adversarial monitoring of an order granting relief or representation of an individual client seeking to obtain the benefit of relief already ordered by a court. Non-adversarial monitoring includes efforts to remain informed about, or to explain, clarify, educate or advise others about, the terms of an order granting relief.

PROHIBITIONS ON ADVOCACY EFFORTS INTENDED TO INFLUENCE CERTAIN LEGISLATIVE AND ADMINISTRATIVE ACTIVITIES;  
PROHIBITED ADVOCACY TRAINING, PARTICIPATION IN PUBLIC DEMONSTRATIONS AND RELATED ACTIVITIES, AND ORGANIZING

I. Legislative and Administrative Rulemaking Prohibitions

A. Except as permitted by Sections B and C below, it is impermissible for any individual, while engaged in legal services activities funded by Statewide Legal Services of Connecticut, Inc. to initiate or to participate in any effort:

1. that attempts to influence the passage or defeat of any legislation or constitutional amendment; or any initiative, referendum or similar procedure of the Congress, any state legislature or local council, or similar governing body acting in a legislative capacity;
2. that attempts to influence any provision in a legislative measure appropriating funds to, or defining or limiting the functions or authority of, the recipient or the Legal Services Corporation (e.g., self-help lobbying);
3. that attempts to influence the conduct of oversight proceedings of any legislative body concerning the recipient or the Legal Services Corporation;
4. that attempts to participate in or influence any rulemaking or influence the issuance, amendment, or revocation of any executive order (rulemaking is defined to include agency processes for formulating, amending, or appealing rules, regulations or guidelines of general applicability and future effect issued by the agency pursuant to Federal, State or local rulemaking procedures, including notice and comment rulemaking and adjudicatory proceedings that are formal adversarial proceedings used to formulate or modify an agency policy of general applicability and future effect);
5. that engages in any grassroots lobbying activity;

6. that pays for any personal service, advertisement, telegram, telephone, communication, letter, printed or written matter, administrative expense or related expense, associated with any activity prohibited in the five preceding paragraphs.

B. Notwithstanding the prohibitions outlined in A, but subject to policies regarding direct representation of clients, it is permissible for any individual funded by Statewide Legal Services of Connecticut, Inc. to:

1. provide administrative representation for an eligible client in a proceeding that adjudicates the particular rights or interests of such eligible client or in negotiations directly involving that client's legal rights or responsibilities including prelitigation negotiation and negotiation in the course of litigation;

2. initiate or participate in litigation challenging agency rules, regulations, guidelines or policies unless otherwise prohibited by law or the Legal Services Corporation regulations;

3. communicate with a government agency for the purpose of obtaining information, clarification, interpretation of the agency's rules, regulations, practices or policies;

4. inform clients, other recipients, or attorneys representing eligible clients, about new or proposed statutes, executive orders or administrative regulations;

5. communicate directly or indirectly with the Legal Services Corporation for any purpose including commenting upon existing or proposed Legal Services Corporation rules, regulations, guidelines, instructions and policies;

6. participate in meetings or serve on committees of bar associations, provided that no resources of Statewide Legal Services of Connecticut, Inc. are used to support prohibited legislative or rulemaking activities and that Statewide Legal Services of Connecticut, Inc. is not identified with activities of bar associations that include such prohibited activities;

7. advise a client of the client's right to communicate directly with an elected official; or

8. participate in activity relating to the judiciary, including the promulgation of court rules, rules of professional responsibility and disciplinary rules.

9. participate as legal adviser to, as a Statewide Legal Services of Connecticut, Inc. representative to, or as a member of an organization, task force, consortium, advisory board, or committee, which has as its primary purpose improving service to Statewide Legal Services

of Connecticut, Inc. clients, sharing information about community resources or needs, providing community legal education, or any other nonprohibited purpose.

C. With prior approval of the Executive Director, non-LSC funds of Statewide Legal Services of Connecticut, Inc. may be used by an employee:

1. to respond to a written request from a governmental agency or official thereof, elected official, legislative body, committee or member thereof, made to an employee or to a recipient to --

- a) testify orally or in writing;
- b) provide information which may include analysis of or comment upon existing or proposed rules, regulations or legislation, or drafts of proposed rules, regulations or legislation;
- c) testify before, make information available to, commissions, committees or advisory bodies; or
- d) participate in negotiated rulemaking.

2. Such participation must be made under the following conditions:

- a) communications made in response to requests may be distributed by the employee only to the party or parties that made the request or to other persons or entities only to the extent that such distribution is required to comply with the request;
- b) no employee of Statewide Legal Services, Inc. shall solicit or arrange a request from any official to testify or to otherwise provide information in connection with legislation or rulemaking; and,
- c) each employee shall maintain copies of all written requests received and any written responses made in response thereto and provide such requests and responses to the executive director (or designated designee).

3. Employees may use non-LSC funds to provide oral or written comments to an agency and its staff in a public rulemaking proceeding which includes notice and comment rulemaking and other public proceedings.

4. Employees may use non-LSC funds to contact or communicate with, respond to or request from, a State or local governmental agency, a State or local legislative body or committee, or a member thereof, regarding funding for Statewide Legal Services of

Connecticut, Inc.

## II. Advocacy Training

A. It is impermissible for any individual, while engaged in legal assistance activities funded by Statewide Legal Services of Connecticut, Inc., to participate in or conduct a training program for the purpose of advocating a particular public policy or encouraging a political activity, a labor or anti-labor activity, a boycott, picketing, a strike, or a demonstration including the dissemination of information about such a policy or activity.

B. Attorneys and Paralegals may participate in any training program, including skills, substantive and management training, which assists such employees to provide adequate legal assistance to eligible clients or advise eligible clients as to the legal rights of the clients.

C. Employees of Statewide Legal Services of Connecticut, Inc. may participate in training activities intended to inform staff about what activities are prohibited by the LSC Act, other applicable Federal law, or Legal Services Corporation regulations, guidelines or instructions.

## III. Prohibitions on Demonstrations, Boycotts, Strikes and Certain Other Activities.

A. It is impermissible for any individual, during working hours, while providing legal assistance or representation to Statewide Legal Services of Connecticut, Inc. clients or while using resources provided by the Legal Services Corporation or by private entities to

1. participate in any public demonstration, picketing, boycott or strike except as permitted by law in connection with the employee's own employment situation; or,
2. encourage, direct or coerce others to engage in such activities.

B. It is impermissible for any individual employed by Statewide Legal Services of Connecticut, Inc. at any time to engage in or encourage others to engage in any:

1. rioting or civil disturbance;
2. activity determined by a court to be in violation of an outstanding injunction of any court of competent jurisdiction; or
3. other illegal activity that is inconsistent with an employee's responsibilities under applicable law, Legal Services Corporation regulations, or the Rules of Professional Responsibility of Connecticut.

C. Attorneys for Statewide Legal Services of Connecticut, Inc. may inform and advise a client about legal alternatives to litigation or the lawful conduct thereof and may take such action on behalf of a client as may be required by professional responsibilities or applicable law of Connecticut.

#### IV. Prohibited Organizing Activities

A. It is impermissible for any employee, while engaged in legal assistance activities funded by the Legal Services Corporation or private entities, to initiate the formation, or to act as an organizer, of any association, federation, labor union, coalition, network, alliance, or any similar entity.

B. Employees may provide legal advice or assistance to eligible clients who desire to plan, establish or operate organizations, including preparing articles of incorporation and bylaws for such organizations. Employees may also provide legal advice or assistance to eligible community groups or organizations, on both organizational issues and on substantive legal issues of interest to the organization.

#### RESTRICTIONS ON CERTAIN ALIENS

As part of the normal intake process, all applicants for service must be asked whether they are U.S. Citizens. Those who are not must be asked to describe the basis for their presence in the country. Those whose status meets the criteria in 45 C.F.R. 1626.4 will be considered "eligible non-citizens", those whose status does not meet those criteria will be considered "ineligible non-citizens".

-Ineligible non citizens cannot receive any services beyond screening, referral, and/or being provided with general information, including receiving copies of published client pamphlets.

-Citizens and Eligible non-citizens can be provided telephone services (including, but not limited to, screening, problem analysis, referral, information, advice, pro se assistance, or other brief service), without verification of citizenship or residency status.

-Before a client can be provided services other than telephone service, she/he must provide verification of citizenship or residency status as provided in 45 C.F.R. 1626.5

#### DUES PAYMENT

Statewide Legal Services of Connecticut, Inc. will not use funds provided by the Legal Services Corporation to pay dues to any private or nonprofit organization, whether on behalf of the program or an individual employed by the program.

A dues payment is a payment to an organization on behalf of the program or an individual employed by the program to be a member of the organization, or to acquire voting or participatory rights in the organization.

#### REDISTRICTING

It is impermissible for any individual, while engaged in legal services activities funded by Statewide Legal Services of Connecticut, Inc., to advocate or oppose any plan or proposal, or represent any party or participate in any other way in litigation related to redistricting, or to make available any equipment for use in such activities. "Advocating or opposing any plan" means any effort, whether by request or otherwise, even if of a neutral nature, to revise a legislative, judicial, or elective district at any level of government.

This policy does not prohibit any litigation brought under the Voting Rights Act of 1965, as amended, 42 U.S.C. 1971, et seq., provided such litigation does not involve redistricting.

#### REPRESENTATION IN CERTAIN EVICTION PROCEEDINGS

It is impermissible for any individual, while engaged in legal services activities funded by Statewide Legal Services of Connecticut, Inc., to defend any person in a proceeding to evict that person from a public housing project if:

(a) The person has been charged with or, within one year of the date when legal services are requested, has been convicted of the illegal sale or distribution of a controlled substance, and

(b) The eviction proceeding is brought by a public housing agency on the basis that such illegal drug activity, for which the person has been charged or for which the person has been convicted, did or does now threaten the health or safety of other tenants residing in the public housing project or employees of the public housing agency.

For purposes of this policy, a person is considered to have been "charged with" engaging in illegal drug activities if a criminal proceeding has been instituted against such person by a governmental entity with authority to initiate such proceeding and such proceeding is pending.

#### IDENTIFICATION OF CLIENT AND PRECOMPLAINT STATEMENT OF FACTS

Any individual, while engaged in legal services activities funded by Statewide Legal Services of Connecticut, Inc., may not file a complaint in a court of law or engage in pre-



complaint settlement negotiations on behalf of a client who is a potential plaintiff in the proposed action and who has authorized Statewide Legal Services of Connecticut, Inc. to file suit in the event that the settlement negotiations are unsuccessful, unless the proposed plaintiff is identified in the complaint or in the pre-litigation settlement negotiations, or a court of competent jurisdiction has entered an order protecting the proposed plaintiff from such disclosure, and the proposed plaintiff has signed a dated, written statement in English and, if necessary, in a language other than English that the client understands, enumerating the particular facts supporting the proposed complaint, insofar as they are known to the client when the statement is signed.

A signed statement prepared for purposes of complying with this policy shall not include any client information that is not otherwise to be disclosed as the basis of the complaint or of a pre-complaint demand letter for relief. The statement shall assert the purpose of its preparation and shall state that it does not operate as a waiver of the attorney-client privilege or work product privilege for any purpose other than compliance with Section 504(a)(8) of Public Law 104-134, 110 Stat. 1321 (1996).

The prepared statement shall be retained in the client's file and a copy shall be forwarded to the Executive Director, who shall maintain a file of all such statements in a central location. Such statement shall not be disclosed except to the Legal Services Corporation or to a Federal department or agency auditing or monitoring Statewide Legal Services of Connecticut, Inc. in compliance with Section 509 of Public Law 104-134.

In the event of an emergency, when staff reasonably believes that delay is likely to cause harm to a significant safety, property or liberty interest of the client, staff may proceed with the proposed litigation or negotiation without a signed statement of facts, provided that the statement is prepared and signed as soon as possible thereafter.

A signed statement of facts is not required to be prepared when representation involves a client who is a defendant; who is involved in an administrative proceeding that responds to an action taken by a government agency, such as unfavorable disability, welfare, unemployment, or housing authority decisions; for whom only brief service, advice, and/or referral activities are provided; or when contact with another party is preliminary to negotiation or is not made in contemplation of litigation, such as to clarify the facts, to gauge the potential for later negotiation, or to resolve a matter on which Statewide Legal Services of Connecticut, Inc. does not intend to pursue litigation.

## STATEMENT OF FACTS

Plaintiff, \_\_\_\_\_, signed this statement of facts to comply with the requirements of Section 504(a)(8) of Public Law 104-134. This statement was written by plaintiff's attorney in contemplation of litigation. Plaintiff has instructed Statewide Legal Services of Connecticut, Inc. to prepare a complaint and the facts contained in this statement form the basis of the complaint. Plaintiff intends to assert and does not waive any right to assert attorney-client privilege or work product privilege in signing this statement. Plaintiff intends for this statement to be retained in the files of Statewide Legal Services of Connecticut, Inc. and that it not be released to any person except for the auditors and monitors described in federal law or pursuant to other applicable court rules or a court order.

[Set out brief statement of facts or include factual allegations of complaint or factual statement in proposed demand letter.]

Signed: \_\_\_\_\_  
(Client Signature)

Date: . . . . .

## REPRESENTATION OF INCARCERATED PERSONS

It is impermissible for any individual, while engaged in legal services activities funded by Statewide Legal Services of Connecticut, Inc., to participate in any civil litigation on behalf of a person who is incarcerated in a Federal, State or local prison or to participate in administrative proceedings on behalf of such person challenging the conditions of incarceration. This limitation on representation applies to all persons so incarcerated, regardless of whether they are a plaintiff or defendant in litigation. Incarcerated means the involuntary physical restraint in a facility dedicated to such restraint, of a person who has been arrested for or convicted of a crime.

If during the period when Statewide Legal Services of Connecticut, Inc. is representing a client in litigation, it becomes known to Statewide Legal Services of Connecticut, Inc. attorney for the client's case that the client has become incarcerated, the attorney must use his or her best efforts to withdraw from the litigation, unless the period of incarceration is likely to be brief and the litigation is likely to continue beyond the period of incarceration.

This policy does not apply to cases and matters on behalf of persons who are incarcerated that do not involve litigation in court or administrative proceedings challenging the conditions of incarceration.

### RESTRICTIONS ON SOLICITATION

It is impermissible for any individual, while engaged in legal services activities funded by Statewide Legal Services of Connecticut, Inc., to represent an individual as a result of in-person unsolicited advice provided by an employee of or other provider of legal services funded by the Legal Services Corporation, or to refer any individual to whom they have given in-person unsolicited advice to Statewide Legal Services of Connecticut, Inc. or to another provider of legal services funded by the Legal Services Corporation.

For purposes of this policy, "in-person" means a face-to-face encounter or a personal encounter through other means of communication such as a personal letter or telephone call; "unsolicited advice" means advice to obtain counsel or take legal action given to an individual who did not seek the advice or with whom the recipient does not have an attorney-client relationship.

This policy does not prevent a staff person from providing to an existing client any advice warranted by professional responsibility to the client; does not prevent a staff person from responding to an individual's specific question about whether the individual should consult an attorney or take legal action; and, does not prevent a staff person from responding to an individual who makes a specific request for information about the person's legal rights or who asks for assistance in connection with a specific legal problem.

This policy is not intended to and does not prohibit Statewide Legal Services of Connecticut, Inc. employees from providing information regarding legal rights and responsibilities or providing information about Statewide Legal Services of Connecticut, Inc. services and intake procedures through client and community education activities, outreach activities or giving presentations to groups that request such information and providing legal representation to individuals who seek such representation as a result of information provided as part of that activity.

### REPRESENTATION IN MATTERS RELATING TO EFFORTS TO REFORM A WELFARE SYSTEM

It is impermissible for any individual, while engaged in legal services activities funded by Statewide Legal Services of Connecticut, Inc., to initiate legal representation, challenge or participate in any other way in efforts to reform a Federal or State welfare system, including participation in:

{a} litigation challenging laws or regulations enacted as part of a reform of a Federal or State welfare system;

(b) lobbying or rulemaking involving proposals that are being considered to implement a reform of a Federal or State welfare system.

(c) lobbying or other advocacy undertaken with regard to the granting or denying of State requests for Federal waivers of Federal requirements for AFDC.

For purposes of this policy Federal or State welfare system means the Federal and State AFDC program under Title IV-A of the Social Security Act and the newly enacted Temporary Assistance for Needy Families Block Grant (TANF), and includes State AFDC or TANF programs conducted under Federal waiver authority, the General Assistance program conducted with State funding under State mandates, and new programs or provisions enacted to replace or modify these programs. This term does not include child support or other public benefits programs (Food Stamps, SSI, Foster Care, Adoption Assistance, etc.) unless changes to such programs are included as an integral part of a reform of the State AFDC or General Assistance program.

This policy does not preclude representation of individual clients who are seeking specific relief from a welfare agency so long as such representation does not challenge an existing Federal or State welfare reform statute.

#### NOTICE OF APPLICATION OF FEDERAL LAW TO LSC RECIPIENTS

The activities of Statewide Legal Services of Connecticut, Inc. and our employees and Board members are subject to 13 specific statutes defining Federal crimes and penalties. These statutes are listed below. If an employee or Board member is convicted and all appeals have been exhausted, and it is found after a hearing that the program knowingly or through gross negligence allowed the offense to occur, the program will have its grant terminated without any further hearing. During the pendency of an employee's or Board members' appeal of a conviction, LSC has discretion to "take such steps as it determines are necessary to safeguard its funds."

The following is the list of federal statutes contained in Sec. 1640.2:

18 U.S.C. Sec. 201 (Bribery of Public Officials and Witnesses);

18 U.S.C. Sec. 286 (Conspiracy to Defraud the Government With Respect to Claims);

18 U.S.C. Sec. 287 (False, Fictitious or Fraudulent Claims);

18 U.S.C. Sec. 371 (Conspiracy to Commit Offense or Defraud the United States);

18 U.S.C. Sec.641 (Embezzlement, Defalcation or Theft of Public Money, Property of Records);

18 U.S.C. Sec.1001 (Falsification of Specific Documents);

18 U.S.C. Sec.1002 (Possession of False Papers to Defraud the United States);

18 U.S.C. Sec.1516 (Obstruction of Federal Audit);

31 U.S.C. Sec.3729 (False Claims);

31 U.S.C. Sec.3730 (Civil Actions for False Claims), except that *qui tam* actions that are authorized by Sec.3730(b) of such title to be brought by persons may not be brought against the Corporation, any recipient, sub-recipient, grantee, or contractor of the Corporation, or any employer thereof;

31 U.S.C. Sec.3731 (False Claims Procedure);

31 U.S.C. Sec. 732 (False Claims Jurisdiction); and

31 U.S.C. Sec 3733 (Civil Investigative Demands).

Note that the *qui tam* provisions of the False Claims Act-Section 3730(b)-are not applicable to our program or the board and staff. A *qui tam* action is one brought under the False Claims Act by a private plaintiff on behalf of the Federal Government (rather than by the Government itself). These actions are often referred to as "whistleblower lawsuits."

Each of the stated crimes requires a showing of knowledge and intent as a prerequisite for conviction. The maximum possible penalties for individuals who are convicted range from significant fines to imprisonment for up to 15 years.

Please note, in particular, that under the reporting requirements imposed by Section 1640.5(a)(1), the Executive Director must call within two (2) working days to advise the Corporation that the program has reason to believe that a violation has occurred. This means that circumstances could arise in which there is very little time for exercising truly thoughtful, cautious investigation or action by Statewide Legal Services of Connecticut, Inc. Because the potential for extremely adverse consequences to the program and its clients is so substantial we will be forced to report any suggestion of a violation and will be unable to extend the benefit of the doubt to the individual involved unless the matter can be fully resolved within the two-day reporting period.

Copies of this policy will be given to all employees, temporary and permanent, and members of the Statewide Legal Services of Connecticut, Inc. Board of Directors. Please do not hesitate to let the Executive Director know if you have any questions about the matters addressed.

#### ATTORNEY FEES

Any individual, while engaged in legal services activities funded by Statewide Legal Services of Connecticut, Inc. may not claim or collect and retain attorney's fees on behalf of the program as a result of representation of a client in courts or administrative litigation, where an award of attorney's fees is available pursuant to Federal or State law. For purposes of this policy, attorneys fees means an award to compensate an attorney of the prevailing party made pursuant to common law or Federal or State law permitting or requiring the awarding of such fees. Award means an order by a court or an administrative agency that the unsuccessful party pay the attorneys fees of the prevailing party, or an order by a court or administrative agency approving a settlement agreement of the parties which provides for payment of attorneys fees by the adversarial party. This prohibition applies to private attorneys who undertake representation of eligible clients and who are compensated by Statewide Legal Services of Connecticut, Inc. for such representation. This restriction does not apply to private attorneys who undertake pro bono representation of eligible clients who are referred to by Statewide Legal Services of Connecticut, Inc. This policy does not apply to the following situations:

- a) cases where litigation was pending on April 26, 1996, except for additional claims made for the client after April 26, 1996;
- b) cases or matters in which a court appoints a staff attorney to provide representation in a case pursuant to a statute or court rule or practice equally applicable to all attorneys in the jurisdiction, and in which the program receives compensation under the same terms and conditions as are applied generally to attorneys practicing in the court in which the appointment is made;
- c) sanctions imposed by a court for violations of (State or Federal law or) court rules, including Rule 11 or discovery rules of the Federal or State Rules of Civil Procedure;
- d) reimbursement of costs and expenses from an opposing party; or
- e) reimbursement of costs and expenses from a client when a case results in a recovery of damages or statutory benefits if the client has agreed in writing to reimburse the program for such costs and expenses out of such recovery.

RESTRICTIONS ON ASSISTED SUICIDE  
EUTHANASIA AND MERCY KILLING

It is impermissible for any individual employed by SLS, while engaged in legal services activities funded by the Legal Services Corporation, to use those funds to assist in, support or fund any activity or service which has the purpose of assisting in, or to bring suit or provide any other form of legal assistance for the purpose of:

- (a) securing or funding any item, benefit, program, or service furnished for the purpose of causing, or for the purpose of assisting in causing, the suicide, euthanasia, or mercy killing of any individual;
- (b) compelling any person, institution, or governmental entity to provide or fund any item, benefit, program, or service for such purpose; or
- (c) asserting or advocating a legal right to cause, or to assist in causing, the suicide, euthanasia, or mercy killing of any individual.

Nothing in this policy shall be interpreted to limit or interfere with the operation of any statute or regulation governing activities listed above.

Nothing in this policy shall be interpreted to apply to any of the following:

- (1) the withholding or withdrawing of medical treatment or medical care;
- (2) the withholding or withdrawing of nutrition or hydration;
- (3) abortion;
- (4) the use of items, goods, benefits, or services furnished for purposes relating to alleviation of pain or discomfort even if they may increase the risk of death, unless they are furnished for the purpose of causing or assisting in causing death; or
- (5) the provision of factual information regarding applicable law on assisted suicide, euthanasia and mercy killing.

DISCLOSURE OF CASE INFORMATION

It shall be the policy of SLS that upon the request of any person, SLS shall disclose to that person the following information for each case filed in court by any full or part-time attorney employed by SLS.

- (1) The name and full address of each party to the case, unless:
  - (i) the information is protected by an order or rule of court or by State or Federal law, or
  - (ii) the attorney handling the case reasonably believes that revealing such information would put his/her client at risk of physical harm,
- (2) The cause of action (i.e., a sufficient description to indicate the type or principal nature of the case);
- (3) The name and full address of the court where the case is filed,
- (4) The case number assigned to the case by the court.

The case disclosure requirements apply:

- (1) Only to an action filed on behalf of a plaintiff or petitioner who is our client.
- (2) Only to the original filing of a case, except for an appeal filed in an appellate court where we were not the attorney of record in the case below and our client is the appellant;
- (3) To a request filed on behalf of our client in a court of competent jurisdiction for judicial review of an administrative action.

The case disclosure requirements do not apply to any case filed by a private attorney as part of SLS's Private Attorney Involvement Program.

SLS will report semi-annually to the Legal Services Corporation the information required above for every case filed in court. The semi-annual report will be made in a manner specified by the Corporation. SLS understands that information contained in such reports will be made available to the public by the Corporation pursuant a request under the Freedom of Information Act.

#### AFFIRMATIVE ACTION PLAN

Statewide Legal Services of Connecticut, Inc. is committed to equal employment opportunity and is an affirmative action employer. The Affirmative Action Plan has



been written in furtherance of this commitment. Its purpose is to clearly set forth our goals and the methods and procedures for carrying them out.

#### STATEMENT OF EQUAL EMPLOYMENT OPPORTUNITY POLICY

It is the policy of SLS as an equal opportunity employer and in furtherance of the Affirmative Action Plan to:

- a. Recruit, hire, train and promote persons for all job classifications without regard to race, religion, national origin, color, sex, age or physical or mental impairment.
- b. Make employment decisions so as to further the principle of Equal Employment Opportunity.
- c. Insure that all promotion decisions are in accordance with principles of Equal Employment Opportunity.
- d. Insure that personnel actions affecting terms and conditions of employment such as terminations, compensation, benefits, and training are administered without regard to race, religion, national origin, color, sex, age, or physical or mental impairment.

#### DISSEMINATION OF POLICY

SLS will disseminate its policy internally as follows:

- a. The Executive Director will conduct meetings at least twice a year with supervisory personnel to explain the intent of the program's EEO policy and define individual responsibilities for its effective implementation.
- b. The Executive Director will insure that all personnel responsible for hiring new employees are aware of the intent of the program's EEO policy and their responsibilities for its effective implementation.
- c. All supervisory employees will insure that employees under their direction are aware of this Affirmative Action Plan by conducting discussions in staff meetings. The plan will be posted on bulletin boards and will be reviewed with all new employees at the time of their orientation.

## POLICY FOR A DRUG-FREE AND ALCOHOL FREE WORKPLACE

SLS recognizes that the use of illegal drugs and abuse of alcohol and prescription drugs can cause problems which have far-reaching negative effects on the health and productivity of its work force. As part of this concern, SLS's policy on alcohol and drugs is as follows:

Employees are expected and required to report to work on time and in appropriate mental and physical condition for work. No employee shall work or report to work while impaired by the use of alcohol or any other substance. It is SLS's intent and obligation to provide a drug-free, healthful, safe, and secure work environment.

The unlawful use, possession, manufacture, distribution, or dispensation of a controlled substance on SLS's premises or while conducting business outside of the office is prohibited. Employees are also prohibited from consuming and possessing alcoholic beverages at work (with the exception of special events or ceremonies where approval has been granted by the Executive Director). Violations of this policy will result in disciplinary action, up to and including termination, and may have legal consequences.

SLS recognizes alcohol dependency and drug dependency as illnesses and major health problems. SLS also recognizes alcohol abuse and drug abuse as potential health, safety and security problems. Employees needing help in dealing with such problems are encouraged to use our health insurance plans, as appropriate, to obtain confidential assistance and treatment. Reasonable accommodations will be made where mandated by the Americans with Disabilities Act.

While participation in a substance abuse program is encouraged and may possibly be mandated, employees whose performance continues to be affected by alcohol or drug abuse will be subject to disciplinary action for failure to perform their job responsibilities.

Employees must, as a condition of employment, abide by the terms of the above policy and report any convictions under a criminal drug statute for violations occurring on or off SLS premises while conducting SLS business. A report of a conviction must be made to the Executive Director within five (5) days after the conviction. (This requirement is mandated by the Drug-Free Workplace Act of 1988.)

## SEXUAL HARASSMENT POLICY

Sexual harassment is illegal. Sexual harassment is defined as unwelcomed sexual

advances, requests for sexual favors, and other verbal and physical conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
- Submission to or rejection of such conduct by an individual is used as the basis of employment decisions affecting such individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

It is the policy of Statewide Legal Services to forbid sexual harassment by its employees.

Any employee who believes he/she has been the subject of sexual harassment should report the act immediately to the Executive Director. The report must be in writing. If the complaint is against the Executive Director, the complaint shall be made to the President of the Board of Directors who shall exercise the functions otherwise assigned the Executive Director in this policy.

1. The Executive Director shall make such investigation as is necessary to determine whether there is probable cause to believe that sexual harassment has occurred. In making such investigation, s/he shall exercise discretion to insure that the names of the persons involved is divulged only to persons necessary to the conduct of the investigation.
2. If the Executive Director does not believe that there is probable cause that sexual harassment has occurred, s/he shall notify, in writing, the employee who complained.
3. If the Executive Director does believe that sexual harassment has occurred, s/he or her/his designee shall conduct a hearing on the matter. Both the complainant and the person alleged to have engaged in sexual harassment shall have the opportunity to present and cross-examine witnesses.
4. If, after a hearing, an SIS employee not a member of the Collective Bargaining Unit is found to have engaged in sexual harassment, the Executive Director shall impose appropriate disciplinary measures, including termination from employment.
5. If, after a hearing, a member of the Collective Bargaining Unit is found to have engaged in sexual harassment, it shall be considered just cause for disciplinary action pursuant to Article XXVI of the Collective Bargaining Agreement.

STATEWIDE LEGAL SERVICES OF  
CONNECTICUT, INC.

FUNDERS

JANUARY 31, 2011

**STATEWIDE LEGAL SERVICES OF CONNECTICUT, INC.**

**FUNDERS**

**LEGAL SERVICES CORPORATION**

Program Counsel: Cheryl Nolan

**CONNECTICUT BAR FOUNDATION**

Executive Director: Sandra Klebanoff

### **What is the Legal Services Corporation?**

LSC is the single largest provider of civil legal aid for the poor in the nation. Established in 1974, LSC operates as an independent 501(c)(3) nonprofit corporation that promotes equal access to justice and provides grants for high-quality civil legal assistance to low-income Americans. LSC distributes about 95 percent of its total funding to 136 independent nonprofit legal aid programs with more than 900 offices that provide legal assistance to low-income individuals and families throughout the nation.

LSC promotes equal access to justice by awarding grants to legal services providers through a competitive grants process; conducting compliance reviews and program visits to oversee program quality and compliance with statutory and regulatory requirements as well as restrictions that accompany LSC funding; and by providing training and technical assistance to programs. LSC encourages programs to leverage limited resources by partnering and collaborating with other funders of civil legal aid, including state and local governments, IOLTA, access to justice commissions, the private bar, philanthropic foundations, and the business community.

The Corporation is headed by a bipartisan board of directors whose 11 members are appointed by the President and confirmed by the Senate.

### **Who are helped by LSC-funded programs?**

Nearly three out of four clients are women—many of whom are struggling to keep their children safe and their families together. Overall, the clients are the most vulnerable among us and are as diverse as our nation, encompassing all races, ethnic groups and ages, including the working poor, veterans, homeowners and renters facing foreclosure or evictions, families with children, farmers, people with disabilities, victims of domestic violence, the elderly and victims of natural disasters.

### **What kind of help is available?**

LSC grantees provide a wide range of civil legal assistance to their clients. The most frequent cases involve:

- **Family law:** LSC grantees continue to help victims of domestic violence by obtaining protective and restraining orders, helping parents obtain and keep custody of their children, helping family members obtain guardianship for children without parents, and other family law matters. More than a third of all cases closed by the local programs are family law cases.

- **Housing & Foreclosure Cases:** More than 25 percent of cases involve helping to resolve landlord-tenant disputes, helping homeowners prevent foreclosures or renegotiate their loans, assisting renters with eviction notices whose landlords are being foreclosed on, and helping people maintain federal housing subsidies when appropriate.
- **Consumer Issues:** Twelve percent of cases involve protecting the elderly and other vulnerable groups from being victimized by unscrupulous lenders, helping people file for bankruptcy when appropriate and helping people manage their debts.
- **Income Maintenance:** Approximately 12 percent of cases involve helping working Americans obtain promised compensation from private employers, helping people obtain and retain government benefits such as disability benefits to which they are entitled.

### How many are helped?

About 57 million people—including 19.5 million children—are eligible for LSC-funded services. LSC-funded programs close nearly one million cases per year nationwide and provide other legal assistance to more than five million people. The clients served are at or below 125 percent of the federal poverty level threshold, an income of \$27,563 a year for a family of four.

### The Growing Justice Gap

An overwhelming demand exists for civil legal services. In 2005, LSC's Justice Gap Report, the first comprehensive national statistical study of unmet civil legal needs, established that for every client who received service, one eligible applicant was turned away. Fifty percent of eligible potential clients requesting assistance from LSC grantees were turned away for lack of adequate program resources. Those findings were reaffirmed in an updated and expanded Justice Gap Report released in 2009. Using different methodologies, state studies also have found that less than 20 percent of the legal problems experienced by the poor were addressed with the help of a private lawyer or legal aid staff attorney. The 2009 Justice Gap Report also included new data showing that state courts, especially those courts that deal with issues affecting low-income people, in particular lower state courts and such specialized courts as housing and family courts, are facing significantly increased numbers of unrepresented litigants. At a time when poor Americans are struggling to keep their jobs, homes and basic necessities for their families, it is crucial for the federal government to address the civil legal needs of these vulnerable people as a national priority.



## Connecticut Bar Foundation

### 2010/2011 Essay Contest Topic Announced

[Click here to view the topic and rules](#)

#### WHO WE ARE

The Connecticut Bar Foundation (CBF), established in 1952, is a non-profit organization which develops and administers programs to enhance understanding and improvement of the law and legal institutions, and sponsors educational symposia. The Foundation also administers the [Interest on Lawyers' Trust Accounts \(IOLTA\)](#), the [Judicial Branch Grants-in-Aid](#), and the [Court Fees Grants-in-Aid](#) programs for the benefit of legal services agencies in Connecticut. We would like to express our thanks to all of the organizations and individuals whose generous support and contributions make the programs of the Foundation possible.

#### IOLTA/IOTA

[IOLTA/IOTA](#) grants for legal services suffered another 50% drop for 2010. Grants for 2008 were in excess of \$16,000,000; 2009 grants were cut to \$8,080,589; 2010 IOLTA grants are just \$4,118,000. Since becoming mandatory, [IOLTA/IOTA](#) has awarded over \$164 million in grants and scholarships, funding the largest portion of legal services for the poor in Connecticut. CBF is statutorily required to publish a detailed annual report of all funds disbursed under the program. The [2009 annual report is now available on line](#) or by calling our office. Precipitous reductions in the Federal Funds Rate have affected the yields that banks pay on IOLTA account balances. These reductions, combined with the drop in real estate transactions and housing prices, have significantly decreased the principal balances in IOLTA/IOTA accounts. We are grateful to the [Leadership Banks](#) paying a higher rate than is required on IOLTA/IOTA balances.

[IOLTA Interest on  
Lawyers' Trust  
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[Single  
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[2009 Annual  
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**MEMBERSHIP TO CONNECTICUT BARS**

The Fellows Program was established in 1994 to promote a better understanding of the legal profession and the judicial system and to address matters concerning the legal profession and administration of justice in Connecticut. The Fellows program undertakes many projects throughout the year to accomplish its mission.

Contributors

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**We would like to extend special thanks to the  
Connecticut Bar Association  
[Click here to return to the CBA](#)**

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Last Updated October 2010

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Last Updated: Oct 8, 2009

STATEWIDE LEGAL SERVICES OF  
CONNECTICUT, INC.

PARTNERED PROGRAMS

JANUARY 31, 2011



# Connecticut Network for Legal Aid

Free Legal Help for People with Very Low Income

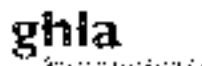
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Statewide  
Legal Services  
of Connecticut, Inc.

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