

Better Than Lumosity



By Patricia R. Kaplan

Attorney Kaplan is the former director of New Haven Legal Assistance. She is currently retired from that position but remains active providing pro bono services, educational advocacy for children in state custody, and representing children in probate court.

Many of you know that I was formerly a legal aid lawyer and director at New Haven Legal Assistance for my entire legal career. Since I retired from that in 2012, the questions I am most asked are “How is retirement?” and “Are you keeping busy with grandkids, travel, photography, etc.?” The short answers are great, yes, and no. In between the usual retirement activities, which for me do not include knitting or playing golf, I have been keeping extremely busy with what I hope are suggestions for any of you who are considering taking the big leap but are looking for ways to keep your mind active and to give back to the community.

First, there are the walk-in courthouse clinics that are already set up and efficiently organized by Krista Hess from the Judicial Branch. They meet one or two times a month at various courts and in different areas of the law. There are family law clinics at the courthouses in Waterbury, Stamford, and Hartford; foreclosure clinics in Hartford, Waterbury, New London, Stamford, Bridgeport, and New Haven; and Small Claims Court clinics in Hartford, Middletown, and New Haven. The schedule for these clinics is available through the Judicial website and the application procedure is simple. These walk-in clinics are just two hours long. The people who come in are pre-screened by court personnel and have to sign a release saying they understand this is for advice only and that they do not have legal representation. Most of the walk-ins are those who are looking for direction, need assistance in getting through the court process, cannot afford to hire attorneys, and can truly benefit from a quick consultation with an attorney. It is a tremendous benefit to the individual, to the court, and to you because it keeps those brain cells pumping.

The most interesting, challenging, and satisfying part of what I do is to give free family law advice by phone to folks throughout the state. My rules are: I do not charge, I do not go to court, and I do not need to meet them in person. The only number they have is my cell phone. I can call them back whenever is convenient for me, but I make sure to respond within 24 hours of getting the message. There are several people who call me during the process or to ask more questions or who need extra support and encouragement. When the caller has some funds and really

needs to have an attorney, I refer them to the various bar association lawyer referral services depending upon where they live.

My major referral source is Connecticut Women’s Educational and Legal Fund (CWEALF), and I volunteer to take telephone advice cases from Call4Law through Statewide Legal Services. I have also distributed a description of what I do to a health and human service agency Listserv, so I receive referrals from domestic violence advocates, counselors, psychologists, shelter workers, etc.

YES, I HAVE MALPRACTICE INSURANCE! I write this in all capital letters because that is the first question that every lawyer asks me when I describe what I am doing. It is only approximately \$600 a year because all that I do is pro bono!

For the most part, however, the people who call me have tried everything before they call: they do not have enough money to hire a lawyer but may be ineligible for legal services; they are eligible for legal services but not a priority case; they are in crisis and do not even know what they want or need to do, but have been advised by a counselor, case manager, friend, or colleague to get legal advice.

I talk to an average of about three to four people a day and keep notes on each person, as well as the name of the person on the other side of the case. The people who call me include men, women, grandparents, and family friends. The cases are sometimes as easy as advising the caller to visit the Court Service Center to fill out necessary paperwork. However, some are difficult to fix by phone. A sampling of the now hundreds of calls I have dealt with over the past two years include: a woman who lived as a prisoner in her own home; a grandparent who wanted visitation with her grandchild but was being denied access by the grandchild’s father; a mother with children from a first marriage that wanted to relocate with her second husband who was being transferred out of state; a father of a young baby who needed to know how to file a motion for custody and how to work with DCF when his baby’s mother had been referred to DCF for abuse and neglect.

(continued on page 35)

cessful. They are always looking for ways to improve, are constantly learning, and are always willing to outwork an adversarial party. I've been fortunate enough to be around several of these people at various points of my career, and although we should all strive for a work/life balance, the absolute truth for young attorneys is that you need to work, work...and then work some more.

For whatever reason, our generation is often viewed by more senior members of the bar as lazy or indifferent. And while I believe that is an incredibly unfair characterization, I say take advantage of the misplaced prejudice. Show up to work early, stay late, and show a sincere interest in learning. If an opposing counsel is foolish enough to not take you seriously because of your limited years in practice, you have an obligation to make sure he or she does not make that same mistake twice. Do these things and you will be rewarded for your efforts. You'll also find it easier to de-

velop mentors, which are essential in this business.

Rule No. 4 – Someone Has Been There Before

A common mistake among young attorneys is having a question and not asking it. We have all heard the numerous stories where an associate was given a task, was unsure how to complete it, and instead of asking a question tried to resolve the issue alone. Guessing is one of the worst things a young attorney can do. If you are fortunate enough to already have a job by the time you read this article, the first thing you need to do is find the person at your employer that you can go to with questions, whether they be legal-based or employer-based. Most places have someone who always "has an open door." If your employer doesn't have an open door policy, well, I've always been told the best time to look for a job is when you already have one.

Rule No. 5 – Pay It Forward

The most important advice I can give you is that while it's important to strive to be a great attorney, I truly believe it's more important to be a great person. When you are fortunate enough to be in the position where you can help others, it is imperative that you do. Be altruistic and be generous with whatever skills and abilities that you have been given in this life.

Whenever I sit down with a young attorney for coffee or lunch, I always end the meeting by asking them to do something similar for a young attorney if the opportunity arises. Being a professional is not just a job. The legal profession has been developed through centuries of hard work and relationship-building. Once you've grown your sea legs, you must do whatever you can to pass the integrity, class, and institutional knowledge of our profession onto the next generation of attorneys. **CL**

Pro Bono (Continued from page 28)

The cases are each so different and yet the same themes prevail. People need help. People do not understand the judicial system. People need lawyers and cannot afford to hire them. People need to know their rights. People need to know how to navigate the legal system on their own.

Even after a completely satisfying, exciting, and productive legal career in legal services, I sometimes think that in these past two years this is the most important work I have ever done. There are so many people who just need to have someone who will listen to them and point them in the right direction. I have been able to help numerous people find their way, give them the support they need, and enable them to pursue their cases armed with knowledge of their rights, information about how the

process works, a realistic assessment of their chances, and helpful hints as to how to be prepared for court.

Obviously there are many callers who absolutely need legal representation. If they have resources, as I said earlier, I refer them to the local bar association lawyer referral services. If they have no resources, we are fortunate in this state to have the possibility of excellent legal aid lawyers and high quality pro bono private attorneys.

The need, however, is so much greater than the resources available. I encourage you to consider this most fulfilling telephone advice practice. And, as I alluded to in my title, the constant challenge and stimulation to your mind in dealing with each unique situation will be so much more fun than those frustrating and boring Lumosity brain teasers!

My contact information is (203)589-7476 or attorneypatkaplan@gmail.com. Please pass along to anyone in need or if you have any questions. **CL**

Informal Opinion 2015-04 (Continued from page 13)

- the confidentiality of client information.
4. We do not view the barter exchange as constituting a "lawyer referral service" within the meaning of the Rules of Professional Conduct. A lawyer referral service is a service that purports to screen lawyers before allowing them to participate and to match prospective clients with suitable participating lawyers. The Official Comment to Rule 7.2 adds that a lawyer referral service: "is any organization that holds itself out to the public as a lawyer referral service. Such referral services are understood by laypersons to be consumer-oriented organizations that provide unbiased referrals to lawyers with appropriate experience in the subject matter of the representation and for other client protections, such as complaint procedures or malpractice insurance requirements."
 5. Inclusion of the states of licensure is desirable, see R.P.C. Rule 5.5. If the Barter Exchange operates in multiple states, it will avoid conveying the misleading impression that the attorney is licensed in all states in which the Barter Exchange operates.