

Connecticut Bar Association

Residential Real Property Certification Program Executive Summary

1. Mission and Goals

The purpose of this certification program is to identify to the public and the bar those lawyers who have demonstrated superior knowledge, skill, competence, integrity, ethics, and professionalism in the area of residential real property. The goals of the program are to improve the public's access to appropriate legal services and to enhance residential real property law practice in Connecticut.

The practice of Connecticut residential real estate law is unique to the state of Connecticut because of the unique history, geographic features of the state, and the evolution of its constitutional, statutory, and case law. Accordingly, these rules require that attorneys seeking certification demonstrate a degree of practical knowledge and experience in Connecticut residential real estate law and transactions.

No attorney shall be required to obtain board certification before practicing in any area of law. Any attorney, alone or in association with any other attorney, shall have the right to practice in any area of law, even though not board certified in that area.

2. Summary of Requirements and Standards for Certification

- a. Substantial Involvement: Twenty-five percent of practitioner's time over the five year period preceding application. Broad scope of activities included.
- b. Good Standing: Five years of prior Connecticut practice and good standing in every jurisdiction admitted.
- c. Ethics and Disciplinary Review: Applicants must provide disciplinary history. Broad standing committee discretion.
- d. Peer Review: Must have at least five favorable references from attorneys or judges concerning both competence in the specialty area and character and ethics.
- e. Errors and Omissions Insurance: Minimum of \$1,000,000 per claim.
- f. CLE: Minimum of 60 hours of relevant CLE in the five-year period preceding filing of application.
- g. Written Examination: Exam to be developed and administered by Examining Committee.

3. Responsibilities of the Standing Committee

- a. Formulate rules governing the certification program, subject to Screening Committee approval.
- b. Overall management of the certification program in coordination with the CBA Staff Advisor.

- c. Review and grant or deny all applications for certification and re-certification.
- d. Suspend or revoke certification as called for by the rules.
- e. Promulgate an annual budget in coordination with CBA Staff Advisor.
- f. Determine whether CLE activity qualifies as being in the area of residential real property.
- g. Members of this committee are ineligible to take the exam.

4. Responsibilities of the Examining Committee

- a. Develop sample exam as part of the application for approval of the program, for review by the Screening Committee, in coordination with testing consultant.
- b. Continue to develop, administer, and score future exams.
- c. Evaluate qualifications of applicants for certification and re-certification and make recommendations to the Standing Committee.
- d. Develop an applicant's bulletin for help in preparation for exam and a test administration manual outlining testing policies and procedures.

5. Responsibilities of the Staff Advisor

The Connecticut Bar Association shall provide staff advisor appointed by the Director of the Connecticut of Bar Association to assist the Standing and Examining Committees

- a. acting as coordinator of all aspects of the certification process for the Standing Committee and the Examining Committee;
- b. being available to the Standing Committee and Examining Committee to discuss the certification process;
- c. assembling and distributing all materials required by the Standing Committee or Examining Committee to conduct its business in accordance with these Rules;
- d. coordinating and attending meetings of the Standing Committee or Examining Committee;
- e. rendering advisory services and supplying appropriate material to any individual requesting an application or information regarding the certification of lawyers as residential real property specialists;
- f. conducting a review of the applicant's materials for application as described in the Rules;
- g. collecting and properly accounting for all fees collected that are submitted by the applicants; and
- h. disbursing in consultation with the Standing Committee chair all authorized expenses.