

Dear Attorney McKeen,

Thank you for the invitation to respond to your comments and questions. While I'll be the first to admit that this was not how I planned to spend my first few days as a candidate for Attorney General, I believe the question was reasonable given the very vague wording of the statute. I am pleased to have the opportunity to respond. My only regret is that there were several media outlets that ran with a "story" before they had all the facts - before they did the proper research and before they gave me time to respond.

The office of Attorney General is one of the most active and professionally demanding in our state government. Connecticut's legal system has been fortunate to benefit from twenty years of outstanding service by one of the nation's premier Attorneys General, my friend Richard Blumenthal. After two decades of such strong service, we need an Attorney General capable of filling the shoes left by Richard, an Attorney General not just qualified for the office, but ready for its challenging blend of legal practice and large organizational management. I am the only candidate with the experience we need to take on that role starting on Day One.

For over twenty years, I have been honored to actively practice law in Connecticut as a member in good standing of the Connecticut bar. My strong and diverse legal qualifications include 8 years in private practice, and 16 years in public service as an attorney, first as a state legislator and later, as Secretary of the State. There is no legal basis to conclude that "active practice at the bar of this state" excludes those attorneys who are practicing in the public or corporate arenas. To interpret "active practice" to mean only private practice would be a mistake.

Over the years I have made all filings and paid fees consistent with the filings and fees paid by other practicing attorneys in the state, including the client security fund payment and the attorney occupational tax return. I am also registered on the State of CT Judicial web site as an active attorney in the State.

This makes me eligible for the office of Attorney General.

Furthermore, please review the definition of the "practice of law" in the Connecticut Practice Book, which governs attorney conduct in the state which demonstrates that, in my service as Secretary of the State, I am clearly practicing law. The relevant section is:

Sec. 2-44A(a)(2), which includes as "practice of law":

Giving advice or counsel to persons concerning or with respect to their legal rights or responsibilities or with regard to any matter involving the application of legal principles to rights, duties, obligations or liabilities.

My daily and active role in counseling businesses, voters, candidates, and elections officials on their rights and duties easily qualifies me as subject to bar discipline for these aspects of my Secretary of the State role. That is to say, I am practicing law when I do this. This is not to suggest that this means only a lawyer can be the Secretary of the State; rather, what it means is that any member of the bar who becomes Secretary of the State will be considered by the bar authorities to be "practicing law" and thus needs to go above and beyond a non-attorney Secretary in terms of adhering to the bar rules in his or her work. This is standard; the bar authorities often impose additional ethical and other obligations on attorneys who are doing things that ordinary citizens also might do.

The subject of this question has become a perfect illustration of a key part of the job of the Attorney General: interpreting the practical application of the law of the State of Connecticut. I view this as an opportunity to preview the comprehensive, measured responses that I will provide the people of Connecticut when serving them as Attorney General and I thank you for that opportunity. Throughout the campaign, I invite a thorough review of both my qualifications for office, as well as my technical eligibility. I am confident that, upon close examination, the voters of Connecticut will see that I am the best qualified candidate to serve as their next Attorney General.

Susan Bysiewicz
Secretary of the State of Connecticut
Candidate for Attorney General