

**Justice Action Group Board of Directors Meeting
January 4, 2023 — 2:00 p.m.**

Present: Justice Mead, Judge Wolf, Judge Darvin, Chris Lewis, Liz Stout, Robyn Merrill, Stacy Stitham, Judy Woodbury, Arnie MacDonald, Kim Moody, Atlee Reilly, Chris Northrop, Chet Randall, Molly Butler Bailey and Charlie Dingman
Via Telephone: Cindy Brochu

MINUTES

I. CONSENT AGENDA

(These will be considered based on written materials distributed with the Agenda.)

- A. Welcomes and introductions: Justice Mead welcomed everyone and asked everyone to review the membership list and let us know of any changes.
- B. Reports from the ACP members: Justice Mead thanked the providers for their reports and again noted the extraordinary things they are accomplishing with inadequate resources.
- C. Approval of Minutes: JAG Board, June 28, 2022 meeting: No corrections or additions were noted. The minutes were accepted and made part of the permanent record.

II. WORKING AGENDA

- A. Report from the Chair (*J. Mead*)
 - i. Inventory review/updates: Justice Mead reviewed the inventory of initiatives and asked the members to provide Cindy with any updates or corrections.
 - ii. Addition of Disability Rights Maine (DRM) to JAG membership: After a unanimous and enthusiastic vote in favor of adding DRM to JAG membership, Justice Mead formally welcomed the DRM's representatives to the group.
 - iii. Civil Process Stakeholders Working Group: The Supreme Judicial Court has created the Civil Process Stakeholders Group to brainstorm creative ideas to move ahead on the backlog in civil matters that was created during the pandemic. The co-chairs are Frank Bishop and Susan Faunce; members are Liz Stout and Eric Wycoff and Laura Pearlman.

- iv. Access to Justice Tax Credit (36 M.R.S. § 5219-YY): The program is fully up and running. The Court again expressed its thanks to the Maine Justice Foundation for undertaking its designation to administer the program.
- v. Katahdin Counsel/ Bar Registration Reporting: Optional reporting of pro bono hours on the revamped annual online bar registration is working well with excellent data being reported. Katahdin Counsel numbers which had been falling off recently are rebounding. Justice Mead reported the most recent numbers: A total of 105 attorneys have reported a total of 11,285 hours for a total value of pro bono legal services of \$1,692,750.
- vi. Update on Odyssey Case Management System and e-filing: The Court retained the firm of Berry Dunn to review the management of the pilot Odyssey case management and e-filing systems. The review has been completed and the rollout process has resumed with Berry Dunn continuing consult and assist.
- vii. JAG website: MJF hosts the JAG's internet page on its website. Updates slowed during the pandemic, but Justice Mead is hoping to revitalize it and welcomes news and other information from JAG.
- viii. Navigator program: Justice Mead commented that many states have individuals in courthouses who are not lawyers but are very familiar with court processes. These individuals—known as navigators—are available to assist people coming into the courthouses. They do not give legal advice, but they are knowledgeable about the types of cases that often involve unrepresented litigants. Krystal Williams of the Alpha Group has assembled a group to look into the prospect of a court navigator program to operate under the auspices of the AmeriCorps program to serve the Maine courts.
- ix. Open Discussion: An ATJ Commission for Maine: The ACP has submitted an excellent analysis of the pros and cons of Maine moving to an ATJ commission model that has become typical in many other states. It was agreed that the conversation should continue and be revisited in future conversations.
- x. Provider representatives welcome to attend Executive Committee meetings: At present, the ACP is represented at Executive Committee meetings and the providers nominate a representative to attend on a rotating basis. [NOTE: They should let Cindy know in

advance of any EC meetings who will be attending.] Justice Mead advised the Board members that the EC meetings are not closed and they are welcome to attend if they wish—again, please let Cindy know if you will be attending.

- B. Report from the Vice Chair/Pro Bono Committee (*Magistrate Judge Wolf*): Magistrate Wolf discussed Rural Access to Justice. On September 28, 2022, they hosted a Zoom law firm roundtable focused primarily on pro bono efforts by mid-size firms because they had been identified as the ones that were not carrying their proportionate weight. Much of the pro bono activity, particularly in rural areas, was falling on solo practitioners or small law firms. They were carrying a much greater proportion of the workload. She reported that every invitee attended and in some instances had more than one representative from a firm. They also had people from the corporate world and larger firms attend. They discussed the personal satisfaction that comes from pro bono work. It was a great success and they got a lot of great ideas and concerns raised at this roundtable. They are focusing this year on how to overcome some of the obstacles to get more pro bono engagement by these firms.

Judge Wolf mentioned the federal POWER Act, which is a federal law that requires each federal district in the country to, every two years, conduct a program that highlights the issues of domestic violence and encourages lawyers to engage in pro bono assistance to domestic violence victims and survivors. They had 125 participants. It was also open to the general public. They will be doing this again next year even though it is only required every two years. Judge Wolf plans to hold it this year in October, which is domestic violence awareness month. It must have a component that addresses particular problems for the indigenous people population as it relates to domestic violence. She will take any and all volunteers.

Judge Wolf reported that on October 12th the MSBA held its young lawyers' committee annual pro bono fair hosted at Verrill this year. Both she and Justice Mead attended. It was a great event. Every legal services provider was present. Not only did they have new lawyers, but they had many lawyers nearing the end of their careers who were interested in doing some pro bono work. She

commented that this is an untapped resource. They hope to continue to capitalize on that.

On October 26th they hosted their Rural Access to Justice Summit via Zoom. She gave kudos to Liz Stout who worked very hard on it. They had approximately 125 participants in this summit, including a judges' panel and a rural practitioners' panel including some new young lawyers who have gone to rural areas to practice. They gathered a lot of ideas from this summit. It ended up being very interactive.

They are planning another roundtable for corporate in-house counsel. One issue that arose in the mid-size law firm roundtable was the concern about lack of expertise in various subject matters particularly family law and immigration issues. They are trying to promote pro bono work in all areas. There are needs in every substantive area. Their goal is to get to the point where lawyers are contacting the legal providers asking if they can help.

They have discovered that the problem of rural access to justice is a bigger problem than the Pro Bono Committee can solve. Judge Wolf believes they may need a whole separate committee on JAG that deals with just rural access to justice, which will allow the Pro Bono Committee to focus on additional initiatives. Judge Wolf has also had preliminary discussions with MSBA which may be interested in heading a collaborative task force on rural access which includes all stakeholders.

They are continuing to work on CLE credits for pro bono work. They have reached out to the Board of Overseers for input into a proposed rule change regarding pro bono credit. The Pro Bono Committee believes to increase pro bono engagement they need to make it part of the culture of firms, the bar, and the public.

Justice Mead commented that he agrees that we should explore a working group or a task force for rural access pro bono work. This topic will be added to the next Executive Committee agenda. He asked if anyone had any thoughts or suggestions on this, to let us know.

- C. ACP: See Reports from ACP members: No providers augmented the reports that were circulated. They stand on the reports.

- D. Legislative Committee (*C. Dingman*): Charlie commented that they have recognized that the providers' executive directors need to be actively participating with the legislative committee. They have been for some time. The providers were able to pull together a modest amount of funding for a person to coordinate this. They have a part time person who did it last year and they will have her help again this year.
They have a bill in this session requesting a substantial increase to the general fund appropriation for the Maine Civil Legal Services Fund from 1.3 million to 3.9 in the first year and 7.8 in the second year. They are hopeful the Governor will make it a part of her budget.
ATJ Day is set for March 29th. Charlie believes it will be live this year.
- E. MSBA (*Stacy Stitham*): Stacy Stitham reported they had a strategic planning retreat in September and one of their goals is rural practice. They have an active ad hoc rural practice group that is looking for ways with the MJF to collaborate. Justice Mead mentioned the Lawyers in Libraries project. MSBA New Lawyers picked it up for a while. He questioned whether MSBA will continue it. Stacy said she will bring it back.
- F. MTLA (*Susan Faunce*): No report given.
- G. MJF (*Michelle Draeger*): Michelle reported that IOLTA income is on the rise and has surpassed expectations. She commented that there is a potential for further distribution to the providers in March. Final figures for the Campaign for Justice are still being prepared as contributions continue to arrive. The Maine Revenue Services has confirmed that the MJF could certify up to five new attorneys for each year of the program. The Racial Justice fund is at \$785,000. MJF has developed a discretionary grant fund from the sale of their building in Hallowell.
- H. Open discussion/ New Business: None
- I. **Future Meetings of the JAG Board:**

June 20, 2023 – 3:00 – Portland – Feeney Conference Room
Dec. 12, 2023 – 3:00 – Portland – Feeney Conference Room

Future Meetings of the JAG Executive Committee:

Mar. 13, 2023 – 2:00 – Augusta – SJC Conf. Room
May 15, 2023 – 2:00 – Augusta – SJC Conf. Room
Sept. 18, 2023 – 2:00 – Augusta – SJC Conf. Room
Nov. 13, 2023 – 2:00 – Augusta – SJC Conf. Room

Meeting adjourned at 3:07 p.m.