

**Justice Action Group
JAG Executive Committee**

**November 15, 2021
2:00 PM**

MINUTES

Present via Zoom: Mead, J., Rich, J., Lauri Boxer-Macomber, Jaye Martin, Michelle Draeger, Victoria Powers, Charlie Dingman

I. Approval of Minutes:

Minutes from September 21, 2021 Executive Committee Meeting. No additions or corrections noted. Made part of the Court's permanent record.

II. Report from Chair - J. Mead:

a. Justice Mead noted that we are on Zoom again and presumably will be for the foreseeable future. Any new major JAG initiatives will need to await the resolution of the pandemic.

b. No additions/corrections to the Inventory. Charlie mentioned ATJ Day is still a possibility for Spring 2022 and will report any progress on that effort.

c. Justice Mead discussed the current Katahdin Counsel numbers which are up this year. We have approximately 150 qualifying attorneys this year, a number of which are receiving five- and ten-year recognitions. Unfortunately, again, we must forgo in-person recognitions due to the pandemic.

d. Justice Mead reported that the SJC has confirmed that it intends to continue to limit Katahdin Counsel recognitions to only those pro bono efforts in civil matters that are rendered to Maine's underserved populations.

e. Justice Mead reported that the Court supports a statutory change that will allow \$600 of the \$700 Pro Hac Vice fees to be directed to Maine's civil legal services providers via the Maine Civil Legal Services Fund Commission.

The JB legislative team is taking steps to present the proposal to the legislature. Legislative people are looking to see how to make this happen.

f. Regarding Pro Bono hours reporting through the Board of Overseers, Justice Mead has drafted and presented modified web pages for the annual attorney reporting process to the Board that will provide for a more efficient and clear process that will facilitate the court's gleaning of data from the reports.

g. Justice Mead reported on the new Maine eCourts case management and e-filing system. The initial roll-out/pilot project in Bangor has been challenging, but the problem areas have been identified and are being addressed. The Rules for Electronic Court Systems (RECS) will need to be reviewed and reconciled with existing court rules at various points; a new working group has been established for that task. Justice Mead reassured the Executive Committee that any proposed rules changes will be posted for public comment and all stakeholders' comments will be fully reviewed by the court before any promulgation of new rules.

h. Justice Mead reported that the Legislature signed into law the new "*Access to Justice Income Tax Credit*" (36 M.R.S. § 5219-YY) which provides for a tax credit, not to exceed \$6,000, for up to five qualifying attorneys each year until 2027. The new statute requires the SJC to certify up to five qualifying attorneys each year for the tax credit. The SJC is currently exploring how the certification process will be undertaken.

III. Vice Chair's Report and Pro Bono Committee Report - J. Rich: Judge Rich reported that the Pro Bono Committee has not met since our last EC meeting. The committee had been planning on discussing the proposal to allow attorneys performing pro bono work in criminal matters to be recognized as Katahdin Counsel, but that discussion may be unnecessary given the SJC's pronouncement on the subject (see section II(d), above).

IV. ACP Chair's Report - Victoria Powers: Victoria reported that Beth O'Connor has been hired to be the justice coordinator. They are doing an informal review looking at other states to look at what their staffing issues may be, including funding issues and such.

Justice Mead asked her to mention to the ACP the Legislature's provision that the SJC certify lawyers providing pro bono services to folks in “underserved areas” in order to qualify for the Access to Justice Credit (see item II(f), above), and the fact that the legislature did not define that term.

The court would welcome any data, information, or definitions in the providers’ possession that might inform the court’s interpretation of what areas are underserved and the degree to which they underserved.

V. Justice Systems Committee Report - Jaye Martin (See attached report): Jaye reported that the Justice Systems Committee continues to be an excellent forum for communication between the court and the providers. Additional detail is included in the latest report.

VI. Executive Committee Organization Updates:

- Courts: Although the court had been looking forward, back in May and June, to getting back to something like normal, the surging COVID numbers have required the court to reinstitute many of the measures put in place during the 2020-early 2021 period. Maine continues to be “in the red” throughout the court’s regional data analysis. Jury trials continue to be held with extensive, stringent containment measures in place.

Nicole Wesley has been confirmed as our new accessibility coordinator.

- ACP: See IV.
- VLP: No report today.
- MJF: Michelle Draeger reported that the annual Coffin appreciation event will be held via Zoom this week. The Campaign for Justice is doing increasingly well. As of today, it is at \$527,191, well ahead of last year. The racial justice fund continues to do well and is at \$520,000
- MSBA/Lawyers in Libraries: No report today.
- MTLA: Lauri Boxer-Macomber reported the MTLA is finishing up the Back to the Basics programming. The membership continues to be concerned about the lack of civil trials, particularly civil jury trials. They met with the Governor and are hopeful new judges will be appointed quickly. Lauri thanked the SJC for participating in judge-conducted settlement conferences

VII. Legislative Committee Report - Charlie Dingman: Charlie reported that there is a lot going on, primarily preparatory measures for the upcoming session. The JAG Legislative Committee is meeting on a weekly basis with emphasis on advocacy for LD 1326. He will follow up with Justice Mead on specifics.

VIII: Other Business: None.

IX. 2021 JAG Executive Committee and Board meeting dates:

JAG Board (Presumably by Zoom):

Dec. 20, 2021 - 3:00

Executive Committee meeting dates:

To be determined for 2022

Meeting adjourned at 2:48 p.m.