

**Justice Action Group
JAG Executive Committee**

**March 17, 2021
2:00 PM**

MINUTES

Present via Zoom: ACJ Mead, Rich, J., Kelly McDonald, Lowell Brown, Deirdre Smith, Liz Stout, Chris Lewis, Michelle Draeger, and Charlie Dingman

I. Approval of Minutes from January 19, 2021 Executive Committee Meeting-Accepted and Adopted.

II. Report from Chair - J. Mead

- a. Checking in—how are we all doing?
- b. Inventory updates: Justice Mead commented that it appears to be up to date.
- c. Update on reporting pro bono hours with annual attorney registration: No report
- d. Pro bono criminal representation to be included in Katahdin Counsel recognition?: No report
- e. Status of new case management system and e-filing: No report
- f. Future projects for JAG: No report
- g. Review Board and Exec. Committee rosters: No report

III. Vice Chair's Report and Pro Bono Committee Report - J. Rich: Pro Bono Committee was scheduled to meet March 8th, but it was rescheduled for March 22nd.

Judge Rich reported on federal court that they are very busy doing an enormous amount of their work virtually. Their Chief released a recent order taking civil cases ahead of criminal cases for the month of July. Civil jury trials are expected to start in July. The criminal jury trial list set for April has essentially disappeared. Many were continuances, not all of them resolved. Criminal list will start again in its updated form in August. He's had a few in-person hearings for people who would not waive their right to be present.

Some hearings are just too difficult to do virtually such as suppression hearings. It's expected some of those will start up in April.

IV. ACP Chair's Report: No report

V. Justice Systems Committee Report: Justice Mead commented that this committee has done a fabulous job keeping the lines of communication open. There have been some issues that have bubbled up; he has made it known he is available to people with concerns. There were concerns about judicial proceedings in the remote video platform (Zoom), all of which were referred to the appropriate oversight individuals. Justice Mead assumes they have been addressed, but if any concerns continue, they should be reported directly to him.

VI. Executive Committee Organization Updates:

- **Courts:** Justice Mead reported briefly on COVID-related issues and innovations within the courts. A Small Claims Mediation Pilot Project has recently been launched to address the large numbers of new Small Claims cases.

The current pending criminal case number is approximately 27,000, up by 10,000 over the previous levels at this time. The criminal backlog is forcing many civil case types that are not high on the priority list to be deferred.

One of the largest impediments to conducting more in-person proceedings is the lack of judicial marshals to do entry screening, including COVID screening. The JB is seeking funding for more marshals.

The e-filing pilot project is up and running for limited case types. The JB will be looking to make modifications and adjustments to hardware, software, and rules as we gain experience with how the system operates over the next few months. The system will not be deployed to other locations until all bugs and concerns have been addressed.

Justice Mead reported that the court is starting to look at planning for the post-COVID era. Input will be sought from users and stakeholders

for modifications and innovations to court practices. The MSBA, MTLA, and VLP expressed great interest in being a part of any such process.

Kelly McDonald strongly urged the court to continue to use remote video proceedings to the maximum degree possible because it will facilitate the MSBA's initiatives to get more practitioners to remote, rural areas that are chronically underserved by the legal profession.

- **ACP:** Deirdre spoke about ATJ Day. She said the communications channel with the Justice Systems Committee is very helpful. They have training on March 29th on how to make some short instructional videos on various matters to be posted on their websites. Justice Mead asked Deirdre to keep us updated on that.
- **VLP:** Liz reported that all of their programs are operating remotely. They are under pressure to meet the demands. Each case requires more time and attention than they did previously. They're looking at ways to adjust their workflows to make things more efficient. It is a cumulative effect due to the pandemic. Family Law Clinics are full, but they're staffed. They're completing a fourth unit of their domestic violence training in April.
- **MJF:** Michelle reported they are very much immersed in the Racial Justice Fund initiatives. IOLTA is remaining somewhat steady/somewhat declining. Rates are dropping. When they do receive a message of rates dropping they conduct a survey. They closely monitor that.
- **MSBA/Lawyers in Libraries:** Kelly McDonald reported that The Maine Bar Journal is now available online. The MSBA is closely watching efforts to reform the MCILS system and supports the pending funding bill.
- **MTLA:** Chris reported that he will be stepping down as president and Lauri Boxer-Macomber will be taking over when his term ends. [Update: Since this meeting, Chris has notified us that he will, for now, be staying on to represent MTLA on this committee.] He reported briefly on the MTLA's efforts to coordinate with the law school, their

efforts to increase diversity in the legal profession, and the fact that Lisa A. Cohen Lunn will joining their executive committee.

VII. Legislative Committee Report - Charlie Dingman

a. ATJ Day-March 31st: Charlie reported that Access to Justice Day this year will be an extended presentation before the Judiciary Committee. The providers and the Chair will address the committee via Zoom. It needs to be an all virtual event this year. Justice Mead will also prepare a brief video to offer to the legislators in general. He's hoping when the caucuses do convene and that they will play those videos at those sessions. [Update: Since this meeting, ATJ Day has been rescheduled for April 13th.]

b. Charlie reported that LD 483, the Judicial Branch's MCLSF surcharges corrective bill (addressing unintended consequences of the language in LD 214), will be heard by the Judiciary Committee immediately following the ATJ Day presentation.

c. The providers and the Legislative Committee are finishing up a detailed fact sheet to support both LD 483 and LR 1335, An Act to Provide Funding for the Maine Civil Legal Services Fund, a more extensive request for funding through direct General Fund appropriations for the coming biennium. That second bill has not yet been printed, but it will be important to "preview" the need for it on ATJ Day, to be sure that Legislators do not think that passage of LD 483, while urgent, meets all of the current need.

Charlie will be in touch with Justice Mead regarding the content for the Zoom session and the video presentation.

VIII: Other Business: No other business mentioned.

IX. 2021 JAG Executive Committee and Board meeting dates:

JAG Board (Feeney Conference Room - Cumberland County Courthouse):

June 21, 2021 - 3:00

Dec. 20, 2021 - 3:00

Executive Committee meeting dates:

May 17, 2021 - 2:00 - via Zoom

Sept. 21, 2021 - 2:00 - SJC Conf. Room - Capital Judicial Center

Nov. 15, 2021 - 2:00 - SJC Conf. Room - Capital Judicial Center

Meeting adjourned at 3:00 p.m.