

Maine Civil Legal Services Fund Commission
REMOTE AND HYBRID MEETING POLICY

I. **Authority:** Pursuant to 1 M.R.S § 403-B and after notice and public hearing, the Maine Civil Legal Services Fund Commission (Commission) adopts the following policy to govern the remote participation of members of the body and members of the public in the public proceedings of the Commission.

II. **Definitions:**

- a. “Hybrid meeting” means a public proceeding, as defined in 1 M.R.S. § 402(2), as may be amended, conducted with some meeting attendees in person at a designated physical location while connecting with other meeting attendees by remote means.
- b. “Public meeting” means a “public proceeding,” as that term is defined in 1 M.R.S. § 402(2), as may be amended.
- c. “Remote means” means “remote methods” as that term is defined in 1 M.R.S. § 403-B(1), as may be amended. For purposes of this Policy, “remote means” may include, but is not necessarily limited to: Zoom, Go-To-Meeting, Skype, Google Meet, or other comparable internet-based telephonic or videoconferencing platform. Remote means does not include text-only means such as e-mail, text messages, or chat functions.
- d. “Remote meeting” means a public proceeding, as defined in 1 M.R.S. § 402(2), as may be amended, conducted *solely* by remote means.

III. **Remote Meetings:** The Commission shall conduct its meetings in person unless the Chair (or presiding officer) in consultation with other members, if appropriate and possible, makes a determination that an emergency or urgent issue exists that makes being physically present not practicable. The determination of such an emergency or urgent issue shall be made in as timely a manner as possible under the circumstances. Notice of a meeting being conducted solely by remote means shall be disseminated consistent with 1 M.R.S. § 406, as may be amended, and this Policy.

IV. **Hybrid Meetings with Remote Participation by Individual Commission Members:** Except for a remote meeting being conducted consistent with Section III of this Policy, members of the Commission are expected to be physically present for all public meetings except when being physically present is not practicable for one or more members. Circumstances under which physical presence for one or more members is not practicable may include:

- a. Illness or other physical condition that causes significant difficulty in traveling to or attending the public meeting in person;

- b. Temporary absence from the state that causes significant difficulty traveling to and attending the public meeting in person;
- c. Significant distance a member must travel within the state to be present at the meeting location;
- d. Geographic characteristics that impede or slow travel, including but not limited to islands not connected by bridges; and
- e. A reasonable accommodation to a member with a disability.

A member who believes it is not practicable to attend a meeting in person shall notify the Chair (or presiding officer) of the existence of such circumstances as far in advance as is possible. The Chair (or presiding officer) shall, in consultation with the member, determine whether being physically present is not practicable for that member and notify the Commission staff if a hybrid meeting will be conducted. If the agenda has already been posted at the time the determination is made to authorize a hybrid meeting, an amended meeting agenda containing the information set forth in Section VI(a) of this Policy shall be posted and distributed to all Commission members, interested parties, and local representatives of the media by the same or faster means used to notify board members.

V. **Hybrid Meetings with No Remote Participation by Individual Select Board**

Members: The Commission is not required by law to offer this type of meeting format and will only conduct a hybrid meeting with no remote participation by individual Commission members when it is determined by the Commission that such a hybrid meeting is necessary.

VI. **Public Notice of Remote Meetings or Hybrid Meetings:** When the Commission conducts a remote meeting or a hybrid meeting, the following shall occur:

- a. Notice of the public meeting shall be provided in a manner that provides ample time to allow public attendance. Such notice shall be disseminated in a manner that is reasonably calculated to notify the general public of the time, date, location, and method to be used to conduct the meeting. Such notice shall provide information regarding how members of the public may attend the public meeting remotely and shall provide the physical location where members of the public may participate in person, if applicable.
- b. Members of the public shall be provided with a meaningful opportunity to attend by remote means. An effective means of communication between members of the public and the Commission shall be provided when public input is allowed. Reasonable accommodations may be provided when necessary to provide access to individuals with disabilities.

- c. Unless the entire Commission is conducting a remote meeting as provided in Section III of this Policy, members of the public must be provided the option to attend the meeting in person or by remote means.
 - d. Unless the entire Commission is conducting a remote meeting as provided in Section III of this Policy, the Chair (or presiding officer), at the start of the meeting, shall announce the name of any Commission member(s) participating by remote means and state the reason therefor, which reason must be consistent with Section IV.
 - e. All documents and other materials considered by the Commission shall be made available, electronically or otherwise, to members of the public who attend remotely to the same extent customarily available to the public who attend in person. This requirement may be met by enabling the “screen-sharing” function of the remote means utilized for the meeting in such a way that members of the public are able to view all relevant documents and materials while the Commission is reviewing and discussing the same.
- VII. **Quorum**: A member of the Commission who participates in a remote meeting or a hybrid meeting is considered present for purposes of determining the presence of a quorum and voting.
- VIII. **Roll Call Vote Required**: All votes taken during a remote meeting or a hybrid meeting must be taken by roll call vote that can be seen and heard if using video technology, and heard if using only audio technology, by all members of the Commission and the public.
- IX. **Disruptions and Adjournment**: If a hybrid or remote meeting is interrupted through disruptions or glitches in the technology, the meeting shall be automatically recessed for up to 15 minutes to restore communication. If the interruption cannot be resolved within 15 minutes and the Commission has not provided reasonable notice to the public as to how the meeting will be continued at an alternative date and time, then the meeting shall be automatically adjourned.
- X. **Executive Sessions**: To preserve the executive session privilege of any portion of a meeting closed to the public, the Chair should confirm with each attendee that no unauthorized person is present or has access to any executive session being conducted via remote means. There shall be no audio or visual recording of an executive session.
- XI. **Amendment; Severability; Effective Date**: This Policy may be amended as needed by a majority vote of the Commission. The provisions of this Policy are severable, and if any provision shall be declared to be invalid or void, the remaining provisions shall not be affected and shall remain in full force and effect. This Policy shall take effect immediately upon adoption by the Select Board.

Date Adopted: September 13, 2021