

# MAINE JUSTICE ACTION GROUP

The Justice Action Group is a coalition of individuals and organizations established in 1995 to provide leadership and coordination in planning for the provision of civil legal aid to low-income and elderly Mainers.

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Caroline Wilshusen, JAG Executive Coordinator

## ACCESS TO JUSTICE UPDATE

Volume 2, Issue 3, September 2009

### JAG/MSBA Standing Committee on Pro Bono and Public Service

The 2008 Report, *Justice for All: a Report of the Justice Access Group Statewide Access to Justice Planning Initiative* recommended an initiative to Increase the Number of Individuals who have the Assistance of a Legal Professional. Two of the priority strategies to reach that objective were (1) Evaluate the need for a new structure to provide leadership for pro bono and public service on a statewide basis through the creation of a permanent Standing Committee on Pro Bono and Public Service, and (2) for this standing committee to develop and support pro bono by private attorneys through some of the following approaches: create prestige around attorneys committed to access to justice, increased collaboration with the courts to reduce disincentives to pro bono service, evaluate pro bono reporting, financial incentives for attorneys to provide pro bono services and to work in legal services, promote expanded provision of unbundled legal assistance to low income clients and encourage Maine law firms to increase their commitment to pro bono representation.

Faced with this charge, the Standing Committee was established in 2008 and is "hosted" by the Maine State Bar Association. The SCPB has identified four primary initiatives for 2009-2010, while also recognizing that additional initiatives may evolve over time. The four primary Initiatives are: (1) Status of Pro Bono Service of Maine's Private Bar; (2) Recognition and Prestige; (3) Pro Bono Opportunities, and (4) Reporting of Pro Bono.

The following attorneys serve on the SCPB: Gigi Sanchez, Chairperson, Martica Douglas, Executive Committee, Peter Felmy, Executive Committee, Jennifer Hoopes, Executive Committee, Colleen Khoury, Executive Committee, Christopher Largay, Executive Committee, Brett Baber, Ginger Davis, Mary-Austin Dowd, MaryBeth Fougere, Bill Harwood, Juliet Holmes-Smith, Judge MaryGay Kennedy, Ralph Lancaster, Margaret O'Keefe, Victoria Powers, Roger Putnam, Ron Schneider, Matthew Stein, Hal Stewart, Nolan Tannous and Shane Wright. JAG is grateful for their time and dedication to this important issue.

### Gigi Sanchez, Chair of the SCPB



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### JAG Welcomes Magistrate Judge John H. Rich III



**Magistrate Judge John H. Rich III**  
United States District Court  
for the District of Maine  
Vice Chair elect of JAG

United States Federal Judge John Woodcock, Jr. has recently assumed important leadership responsibilities within the federal judiciary and, as a consequence, must step down from the JAG Board. As our Vice Chair, Judge Woodcock has been an important source of thoughtful and incisive advice and guidance to the Chair and the Executive Committee. The entire JAG coalition would like to express profound gratitude for Judge Woodcock's participation in JAG and his commitment to fostering equal access to justice in Maine.

The Executive Committee has nominated Magistrate Judge John H. Rich III, to serve on JAG and to assume the position of Vice Chair. The nomination will go before the full JAG Board of Directors at its next quarterly meeting. Judge Rich has long been an active leader in the area of access to justice. Most recently, and just before his appointment to the federal bench, he was slated to become the Chair of the Maine Bar Foundation. Judge Rich is a gifted leader and a trusted voice in Maine's legal community. His confirmation as Vice Chair will continue the tradition, established by Judge Coffin and Justice

### Collaboration on Innovation, Technology and Equal Access to Justice

The 2008 Report, *Justice for All: A Report of the Justice Action Group Statewide Access to Justice Planning Initiative*, recommended that JAG seek to "Ensure Meaningful Assistance to Individuals Who Do Not Have the Services of a Legal Professional," and "establish standards for the delivery of legal services to self-represented litigants."

To that end, the Justice Action Group established a Self-Represented Litigant Task Force and a Technology Coordination Task Force. The Self-Represented Litigant Task Force recently issued a report containing various recommendations that emphasize the importance of using web-based technology to provide assistance to the public.

Based on this report, an informal working group sponsored by the Justice Action Group, that included representatives of Maine's public and law libraries, Pine Tree Legal Assistance, and the Chair of the Technology Coordination Task Force, considered the recommendations of the Self-Represented Litigant Task Force and concluded that the Justice Action Group should launch a statewide access to justice initiative to further enhance statewide access to justice and promote: (1) enhanced web-based resources that would be easily accessed by the public to obtain forms, instruction, and direction in all major areas of law; (2) courthouse-based pro bono panels to serve as primary sources for referrals to and from the web resources; and (3) a partnership between Maine's legal services community, the courts, the Bar and Maine's librarians that will result in Maine's libraries serving as a primary location at which the public receives access to and direction in the use of web-based resources, and referrals to courthouse-based pro bono assistance, legal aid organizations, and private low-cost and limited representation legal services.

To that end the Self-Represented Litigants Task Force and Technology Coordination Task Force have been merged in order to provide the expertise and leadership this initiative requires.

The following Collaboration members have generously volunteered their time to shepherd this important effort: Chair: Justice Andrew Mead, Maine Supreme Judicial Court, Vice Chair: Juliet Holmes-Smith, Director, Volunteer Lawyers Project, Collaboration members: Professor Christopher Knott, University of Maine School of Law, Judge David Kennedy, Maine District Court, Elissa Marchetti, US District Court, Hugh Calkins, Pine Tree Legal Assistance, Kathleen Caldwell, Pine Tree Legal Assistance, Christa Berry, US District Court, Nancy Rabasca, Cleaves Law Library, Norman Houle, Pierce Atwood, Virginia Davis, Maine State Bar Association, Beth Stickney, Immigrant Legal Advocacy Project, Alysia Melnick, Maine Civil Liberties Union, John Barden, Maine State Law Librarian, Barbara McDade, Bangor Public Library, Family Law Magistrate Susan Oram, Sonja Plummer-Morgan, President, Maine Library Association, Jim Bivins, Chief Hearings Officer, DHHS and a representative from the Maine Probate Court.

**Transforming the Lewiston Courthouse Assistance Project, (CHAP), into the Corner Store for a Community Collaboration Promoting Access to Justice.**

The Lewiston CHAP, a program initiated and spearheaded by Family Law Magistrate Susan Oram, was opened by VLP at the Lewiston District Court in January 2009, and quickly became a successful and efficient way of providing legal assistance to low income family law litigants. Lewiston CHAP is based on the Portland and Biddeford Court models, where pro bono attorneys and students (in Lewiston, these are Bates College students) staff a walk in clinic one afternoon per week. Low income clients are provided help filling out and processing family law forms, and are able to have a 15 to 30 minute consultation with a pro bono attorney about the specific issues of their family matter. Lewiston Chap now regularly helps about twenty clients per week, who are then more prepared to represent themselves through the family court process. Clients may also return to the clinic as many times as necessary when they have new questions about their case.

Because Lewiston CHAP is thriving, it is now a realistic objective to use the Clinic as a corner stone for developing a community collaboration to connect already existing services, as a way to extend and provide fuller support for low-income litigants. Over the summer VLP has been working with a number of Lewiston service providers, including the Lewiston District Court, the Lewiston Public Library, Adult Education Services, Pine Tree Legal Assistance, Downtown Education Collaborative (DEC), and the Abused Women's Advocacy Project to schedule cross agency trainings and create a frame work for interconnected referrals to services for self-represented family law litigants.

This collaboration would allow a person with civil legal needs, making first contact with any of the participating collaborative partners, to be easily and appropriately referred to additional existing resources.

For example, an unrepresented low income person asking a court clerk for help in filing a divorce might be referred first to the library or the DEC store front web access, where they would get support and guidance accessing Maine family law information and court forms on-line. From there the person would be referred to CHAP, where more time could be spent giving direct legal advice, as some of the forms and education would already be done. If at any point it was discovered that the person had other civil legal issues he or she would be referred to Pine Tree Legal Assistance, or if there were literacy issues a referral could be made to adult education. Through the participation of AWAP, victims of domestic violence would also have access to these extra resources.

An important part of this collaboration is the development of a referral card, which will be personalized for each self-represented litigant. This card will provide information about collaboration agencies and how to access their services. It will also provide the holder with a sense that they have an "introduction" to each community service, the hope being that this will lessen the barriers to accessing different services and allow each agency to quickly understand the service needs of each participant.

At this point, we hope that the collaboration will be up and running by the end of the year, and we may have some resources, through Bowdoin and Bates to start working on quantifiable evaluation tools, both of this project and the CHAP's generally. VLP also has plans to start creating these collaborations at the other CHAP's sites.

**Doors Open Soon:  
Penobscot County Limited Representation Clinic  
Saturday October 6, 2009**

On Saturday, October 6, 2009, the doors will open for the first time to the Penobscot County Limited Representation Legal Clinic. The clinic is operated under the auspices of the Volunteer Lawyers Project and is staffed by attorney volunteers from the Penobscot County Bar Association. Potential clients will contact the Volunteer Lawyers Project who will screen the individuals for eligibility. Once found to be eligible for free legal services, the client will be scheduled for a half hour consultation with an attorney at the Volunteer Lawyers Project's Bangor office. Representation will be offered in family law, PFA's/PFH's, landlord-tenant, foreclosure, bankruptcy, wills, and general civil cases. Clinic hours will be from 9:00 to 12:00 a.m. on Saturdays and occasionally on Wednesday evenings. The goal of the clinic is to serve six clients each week for 50 weeks during the first year of operation.

**JAG extends its heartfelt "thank you" to the sponsors of  
*Expanding Justice in Maine: Upstream Solutions to Downstream Problems.*  
October 2, 2009**



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