

Appendix A: Additional comments for Parts 1, 2 and 3

The evaluation team consisted of team leader Colleen M. Cotter, consultant, Guy Lescault, consultant, and Timothy Watson, Program Counsel, LSC Office of Program Performance. During their visit to Maine September 13 – 17 the team interviewed 55 people, including members of the judiciary, leaders of the bar, provider staff and management, members of the legislature and executive branch, social service providers, client leaders and funders. At the conclusion of the visit the team made a presentation to a small group of representatives from the state justice community. The comments below reflect that presentation and serve to further explain the team's scores in this evaluation instrument. These comments are focused on three main areas: the planning process; resource allocation and development; and technology tools.

Planning process. Planning for development of a statewide justice community in Maine can be traced back at least as far as the 1990 Muskie Report, which included a study of the legal needs of the poor in Maine as well as a list of recommendations the state should take to improve access to justice. Building on this report, the leaders of the judiciary and bar responded to the 1996 cuts in federal funding and additional restrictions by holding a Fall Forum to address this crisis, which led to the creation of the Justice Action Group (JAG). Since that time, JAG, its task forces and the providers have accomplished much, including: a high level of judicial and private bar commitment to ensuring access to justice; consistent collaboration among the providers; creation of entities to address gaps in the system; a model web site at www.helpMElaw.org; creation of the Civil Legal Services Fund; an impressive first Campaign for Equal Justice; and the sharing of information technology resources among providers to ensure all have access to high quality and reliable technology and technology support.

In the past few years Maine has served as a model among state justice communities. The judicial leadership from both the state and federal bench has played a key role in ensuring that this work is respected by the bench and bar, by the legislature and executive branches of government. Having accomplished much in its first few years, spurred initially by the crisis of decreased federal funds and increased restrictions, the leaders of the state justice community must now determine how they can sustain this energy, expand, and continue to move forward.

One possible approach is to develop a "2020 Blueprint". It has been 15 years since the Muskie Report. A 2020 Blueprint would establish goals for the next 15 years. Such a blueprint would include an update of the Muskie Report, including a documentation of the progress made since 1990, the change in demographics during that time, and some projection regarding the future demographics of the state. The blueprint would describe the goals for the next 15 years as well as the tasks required to accomplish those goals and a timeline according to which those tasks would be completed. Finally, the blueprint would assign responsibility to the appropriate individuals or institutions to accomplish those tasks. One of Maine's accomplishments has been its ability to put aside turf issues and assign tasks to the institution or individual that is best suited to get the job done. The overarching goal of the blueprint would be to address the legal needs of low income people, and systems of accountability would need to be incorporated throughout

the process. The 2020 Blueprint should, therefore, be developed with client input and participation.

Resource Allocation and Development. Throughout the last 15 years, and continuing for the foreseeable future, there have been the ongoing challenges of increasing the resources available for legal services and at the same time finding the most effective and efficient use of the resources that are available. In Maine the state justice community leaders have been successful in developing collaboration among the legal services providers in a wide variety of areas, including appropriate allocation of funds from IOLTA and the Civil Legal Services Fund and development of the first Campaign for Equal Justice. The organizers of the annual Muskie Dinner reach out to a broader community and share the funds amongst the providers and under JAG's leadership the state has successfully raised funds from the largest Portland law firms to fund the "Coffin Fellows" who are placed at Pine Tree to provide family law representation in the Portland area. JAG is also currently working on a communications campaign to ensure a consistent message to the public, the legislature and others. Maine's successful system of sharing technology resources is a model for other states. By sharing resources the providers in Maine have access to technology that they would otherwise not be able to afford or support.

In addition to these successful efforts to develop and allocate financial resources, the state justice community must also analyze how to best use and support its human resources, including staff, pro bono attorneys and lay volunteers. While some of this analysis has been done through development of some training and sharing of information, this is a challenge for planners in the future. How can the Maine state justice community expand its pro bono system and how can it best use and support those pro bono attorneys? This analysis should balance the unmet needs which pro bono attorneys might address with the work that is best suited to private attorney volunteers.

The level of collaboration in Maine is considerable and has resulted in the creation of new entities to address gaps in services and the allocation of limited resources to address those gaps. This collaboration among providers and support of the judiciary, bench and Maine Bar Foundation has also produced additional funds for the entire system, most notably through the almost \$1,000,000 raised in 2004 through the Civil Legal Services Fund and the Campaign for Equal Justice.

As the leaders of the justice community in Maine look forward to 2020 they should examine the successes of the last few years and ask where they can best raise additional resources and how they can best allocate the resources they have, including both financial and human resources. This requires continual analysis and adjustments based on what is working, what work has had the greatest impact on clients, as well as a determination of what is not producing the desired results. Part of this process will require better use of evaluation information and quality assurances, including outcome measures, and better use of data.

Technology Tools. Maine is a national leader in its use of technology to assist in legal services work. The state's progress in this area has impacted not only on the providers and their clients, but on their partners, particularly the courts. By pooling resources the providers (with

the assistance of the Maine Bar Foundation and other funders) have developed considerable technology capacity to support their work. Having developed this capacity, the challenges facing the state are twofold: how to ensure the state justice community is using this technology to the fullest; and how to ensure that the state continues to move forward as technology moves forward.

With regard to whether the state is fully using its capacity, some areas to examine include: support of pro se litigants through the HelpMeLaw web site and other tools; use of technology to provide training; use of technology to ensure quality; use of technology to engage in peer review; use of technology to gather and analyze data; and use of technology to create the “seamless web” intake system that is envisioned in the planning documents. In particular, planners should examine whether they are using Practice Manager (the case management system shared by most providers) to its fullest, whether they use the video conferencing system to its fullest, and whether they use telephone technologies to save money, connect providers and serve clients. In addition, the planners should examine whether there are ways they can use technology to support the work of the JAG and its task forces, such as, for example, creating a database and calendar available on the web.

Finally, as those involved in this work in Maine move forward, they should appreciate their accomplishments. In order to continue to move forward the federal and state judiciary, private attorneys, the providers, the Maine Bar Foundation and others in Maine, must continue to provide extraordinary leadership. These leaders must also have sufficient and appropriate staff to support their work so that JAG, its task forces and other groups connected to its work can continue to benefit from the leadership of volunteers who have devoted considerable time to the common goal of ensuring access to justice.

Appendix B (data for 3.3-1):

County	# closed cases	# ext cases	# poor persons (below 125%)	Total cases closed / poor person	Total ext. cases closed / poor person
Androscoggin	782	191	15,944	0.05	0.012
Aroostook	523	71	15,065	0.035	0.0047
Cumberland	1612	221	28,614	0.056	0.008
Franklin	112	17	5,622	0.02	0.003
Hancock	209	45	7,377	0.03	0.006
Kennebec	806	136	17,471	0.05	0.008
Knox	138	30	5,698	0.024	0.005
Lincoln	137	21	4,715	0.03	0.004
Oxford	244	39	9,034	0.03	0.004
Penobscot	1140	228	26,515	0.043	0.0086
Piscataquis	103	17	3,607	0.029	0.0047
Sagadahoc	168	29	4,239	0.04	0.007
Somerset	277	27	10,727	0.026	0.0025
Waldo	168	36	6,826	0.025	0.005
Washington	434	32	8,548	0.05	0.0037
York	789	111	20,237	0.04	0.005
Other	687	139	0	n/a	n/a
Total	8329	1390	170,002	0.049	0.008

Appendix C - Persons interviewed for evaluation:

1. Kurt Adams, Governor's Legal Counsel
2. Russell Anderson, PTLA Board member
(Mr. Anderson became unavailable and was not interviewed)
3. Peter Bickerman, PTLA board member
4. Kathleen Caldwell, PTLA
5. Hugh Calkins, PTLA
6. Judge Frank Coffin, U.S. Court of Appeals – 1st Circuit
7. Janis Cohen
8. Alice Conway, PTLA Board Chair
9. Justice Howard Dana
10. Bob Echols
11. Patricia Ender, PTLA
12. Judge Joseph Field
13. Carter Friend, Vice President United Way of Greater Portland
14. Judge David Kennedy
15. Sharleen Garvey, PTLA
16. Judy Guay, PTLA board member and Pres. of MAIN
17. Bill Harwood, Verrill & Dana
18. Nan Heald, ED PTLA
19. Laura Henderson, PTLA
20. Mary Henderson, E.D., Maine Equal Justice
21. Chuck Henegar, PTLA

22. Janet Henry, Maine Philanthropy Center
23. Juliet Holmes-Smith, PTLA
24. William Kayatta, MBF President
25. Tom Kelley, PTLA
26. Annie Kline, PTLA
27. Colleen Koury, University of Maine Law School Dean
28. Bill Lairsey, VLP lay volunteer
29. Paul Lavin, ED, Legal Services for the Elderly
30. Jennifer Lechner, former staff to JAG and Campaign for Equal Justice
31. Ken Lehman, former Chair of the VLP Advisory Committee
32. Calien Lewis, Director, Maine Bar Foundation
33. Judge Kermit Lipez, U.S. Court of Appeals – 1st Circuit
34. Peter Michaud, Member of JAG and Resource Sharing Task Force
35. Ellie Miller, PTLA
36. Kim Moody, ED Disability Rights Center
(Ms. Moody became unavailable and was not interviewed)
37. Kathy Poulus-Minott, LEP advocate
38. Victoria Powers, incoming MBF President
39. Dana Prescott, President, Maine State Bar Association
(Mr. Prescott became unavailable and was not interviewed)
40. Roger Putnam, Verrill & Dana
41. John Rich
42. Mary Richardson, Volunteer Lawyers Project
43. Collette Rossi, LSE

44. Helen Rousseau, York County Community Action Program
45. Julie Rowe, Executive Director, Maine State Bar Assoc.
46. Derry Rundlett, Maine State Trial Lawyers representative
47. Chief Justice Leigh Saufley
48. Mary Schendel, Chair, Campaign for Justice
49. Deirdre Smith, Director, Law School Clinic Univ. of Maine
50. Charlie Soltan, Outgoing Chair, Legislative Task Force
51. Valerie Stanfill, Cumberland Legal Aid Clinic
52. Beth Stickney, E.D., Immigrant Legal Advocacy Project
53. Mark Terison, US Attorney's office
54. Rick Thompson, MBF Board member
55. Allan Toubman, Department of Labor
56. State Senator Sharon Treat
57. Daniel Wathen, Former Chief Justice, Maine Supreme Court
58. Donna Yellen, Preble Street Resource Center