The agenda and supporting documents for this meeting are available at MEBarConnect (MBC).

The Maine State Bar Association promotes the honor, dignity and professionalism of lawyers, advances the knowledge, skills and interests of its members, and supports the public interest in a fair and effective system of justice.

Antitrust Statement

The Maine State Bar Association (MSBA) is organized to promote the honor, dignity and professionalism of lawyers; advance the knowledge, skills and interests of its members; and support the public interest in a fair and effective system of justice. The MSBA, its officers, Board of Governors and employees shall not, and do not, play any role in the competitive decisions of its members or their employees, or in any way restrict competition in any aspect of the legal profession. By adoption of this statement of policy, the MSBA makes clear its unequivocal support for the fair and effective policy of competition served by the antitrust laws and its uncompromising intent to comply strictly in all respects with those laws.


Governors Absent: Anton, Cutliffe, Echeverria, Finberg, Hall, Kreckel, and Willey.

Staff Present: Armstrong and Seavey.

Item 1. Call to order and welcome.
President Stitham called the meeting to order at 1:07 p.m.

Strategic Goal 1: Grow membership by elevating relevance to existing and prospective members.

- Objective 1.1: Expand dues-paying membership.
- Objective 1.2: Reimagine new lawyer member recruitment journey.
- Objective 1.3: Focus on one target group annually (i.e., bar waivers, government attorneys).
- Objective 1.4: Dues-sharing exploration with county and affinity bars.
- Objective 1.5: Decisis adoption and member benefits promotion.
Item 2. Membership.

A. DED Seavey reviewed the membership, new member, and resignation reports. She reported a total member count of 2695. There were 41 new members since the January 20, 2023 meeting, of which 17 were new members (dues-paying), 21 were reinstatements (dues-paying), and three new students (no dues). There was one resignation and no deaths during this same period.

B. Considered the application of George S. Isaacson of Brunswick for Life Membership in the Association beginning January 1, 2023. ED Armstrong confirmed Attorney Isaacson certified his eligibility for Life Membership. A motion was made, duly seconded, and a majority voted in the affirmative to approve Life Membership for George S. Isaacson. President Stitham abstained.

Item 3. Membership Committee report: Chair Cutliffe: no report.

Item 4. ad hoc Section Review Committee report: Chair Dunitz: no report.

Item 5. Bar Talk.

A. Upcoming editions of Bar Talk.

1. April 11 with guests Judge Jesse Gunther, Virginia Davis, and Paula Silsby to discuss changes in the legal profession during their careers.


B. Send suggestions for topics and/or guests for future Bar Talks to ED Armstrong.

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Strategic Goal 2: Actively facilitate and lead efforts to advance the profession.

- Objective 2.1: Advance access to justice and promote rural practice.
  - Identify stakeholders and convene statewide access to justice working group.
  - Expand efforts to showcase and recruit for rural practice opportunities.
  - Conduct two forums or roundtables to raise awareness re: court funding inadequacies.

- Objective 2.2: Advance an aware, inclusive, and diverse legal community.
  - Publish and actively discuss Diversity Committee report findings.
  - Recruit two lawyers into Leadership Academy annually from historically underrepresented groups.
  - Advance pipeline initiatives and educational awareness.

- Objective 2.3: Advance the health and well-being of Maine’s legal community.
  - Identify stakeholders.
  - Convene working group.
  - Raise awareness.
  - Advance solutions.

Item 6. Diversity Committee report: Interim Chair Bishop.

A. New chair: Shana Cook Mueller will serve as chair until the end of FY 2022-2023.
B. Next meeting is March 14 at 11:30 a.m., and the goal is to hold monthly meetings through September.

**Item 7. Wellness Initiative Committee report: Chair Dunitz.**

A. Committee meeting was held on March 6. Initial goals of the Committee include holding wellness events at the 2023 SBC, obtaining CLE credits for wellness-based events, and working with the state-wide Task Force to reach its goals.

B. Immediate Past President Bishop volunteered to lead a wellness activity at the SBC and Governor Harmon volunteer to lead a run.

C. The state-wide Wellness Task Force has been formed. Its first meeting was today and discussion centered around working with the ABA to create a wellness survey.

**Item 8. Rural Access to Justice Task Force/ad hoc Rural Practice Committee report: Governor McNally.**

A. Committee meeting was held on February 7. With the formation of the state-wide Task Force, it was decided that the Committee will meet on an as-needed basis to support the work of the Task Force. A motion was made, duly seconded, and voted in the affirmative to appoint Governors Malloy and Prendergast to the Committee.

B. Update on formation of Rural Access to Justice Task Force: letters were sent to stakeholders and several have already responded with representatives to serve on the Task Force. A motion was made, duly seconded, and a majority voted in the affirmative to appoint Governor McNally as the MSBA representative on the Task Force. Governor McNally abstained.

C. Discussed correspondence from Attorney Roger Champagne re: MCILS. Governors found his input concerning MCILS and criminal practice in Maine to be very compelling. It was determined that the Legislative Review & Response Committee should further discuss this topic and provide a forum or opportunity for members to address these issues with their legislators. The Committee will take it up at its standing meeting next Monday morning.


A. Working Group meeting was held on February 14.

B. Immediate Past President Bishop provided a brief history of the formation of the Working Group, and confirmed that the stakeholders have now been seated. The Group is currently in the information gathering phase, and is drafting a message to send to Maine attorneys requesting their comments and needs. The MSBA will assist by broadcasting this message to its members once received from the Working Group.

**Item 10. Leadership Academy: Class of 2023.**

A. March 23: Ethics/H&D session at Board of Overseers in Augusta. Overseers ED Aria Eee will facilitate the ethics portion, and BIPOC Lawyers Section Chair Carlos Diaz, Vice President Faunce, and Governor Neumann will facilitate the H&D discussion.
B. April 5: Legislative/Public Sector session at State House in Augusta.

C. May: Comment or No Comment? What to do when the media calls and how to make a statement without putting your foot in your mouth.

D. June 27: Graduation at SBC at the Harborside Hotel in Bar Harbor.

**Item 11. Relevant MSBA CLE programs.**

A. **Learn Mindfulness to Curtail Bias and Make Ethical Decisions**: March 22, 2023 at 11:00 a.m. – 12:00 p.m. (live webinar) with presenters Becky Howlett, Esq. and Cynthia Sharp, Esq. Presenters will unpack implicit bias—what it is, why it matters, and strategies to become aware of our unconscious biases and enhance mindful decision-making. Overall, this program will support your ability to recognize these biases and implement strategies to curtail their harmful effects in your life. The speakers will delve into why words DO matter and discuss commonly held harmful assumptions of diverse groups of people. You will also learn: how to use mindfulness tools to develop deeper awareness about implicit bias and learn to counter insensitive attitudes; specific steps that you can take IMMEDIATELY to reduce the ill effects of implicit bias in the legal setting; concepts that will help identify and address unconscious bias when dealing with colleagues, clients, and others; and, how enhanced cultural competency will help any attorney both serve justice and advocate more effectively.

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**General Business of the Board of Governors.**

**Item 12. Consent Items 12A-12E.** A single motion was made and voted in the affirmative to accept items 12A-12E

*Note: Supporting documents posted to MBC.*

A. Approved minutes of the January 25, 2023 meeting.

B. Set the date of next Board of Governors meeting for **Tuesday, April 4, 2023 at 1:00 p.m. via Zoom.**

C. Confirmed the President’s appointments of the following Standing and Special Committee chairpersons for 2023:

- **Diversity**
  - Shana Cook Mueller

D. Confirmed the President’s appointments of the following Standing and Special Committee members:

- **Bylaws & Policies**
  - Rachel Okun
- **CLE**
  - Christopher Harmon
  - Kristin Murray-James
- **Membership**
  - Christopher Harmon

E. Confirmed the President’s appointments of the following Section Chairs and Co-Chairs for 2023:

- **BIPOC Lawyers**
  - Elyse Apantaku, co-chair
  - Shamara Bailey, co-chair
- **Family Law**
  - Sean Rogers, chair
Item 13. **Treasurer’s report.**

Note: Financial documents posted to MBC.

A. ED Armstrong reviewed the December and January financial reports, in Treasurer Cutliffe’s absence, reporting that we have received 74.35 percent of budgeted revenue and spent 32.45 percent of budgeted expenses through January. This compares to 66.55 percent and 21.65 percent respectively at this same time last year. **A motion was made, duly seconded, and voted in the affirmative to accept the December and January financial statements.**

B. The Membership Dues Collection report shows we collected $558,582.42 of $580,000.00 budgeted or 96.3 percent, as of January 31, 2023. This compares to a collection rate of 97.4 percent at the same time last year. For sustaining membership dues, we collected $5,031.66 of $7,000 budgeted, or 71.9 percent. This compares to a collection rate of 68.8 percent at the same time last year.

Item 14. **Board of Governors reports.**

A. President-Elect Dunitz asked the Governors for their thoughts on hosting an in-person versus hybrid WBC in 2024. There was no final determination on the format, but he came away with many ideas and suggestions.

B. Vice President Faunce: no report.

C. Immediate Past President Bishop: no report.

D. Other Governors: no reports.

Item 15. **Executive Director’s report.**

A. John W. Ballou Award.
   1. To be presented at the Summer Bar Conference (SBC).
   2. Call for nominations sent to membership.
   3. Criteria and previous awardees posted to MBC.

B. Attending ABA BLI in Chicago with President Elect Dunitz on March 15-17.

C. Vacation on March 20-27.

Item 16. **President’s report.**

A. Reported on attendance at National Conference of Bar Presidents (NCBP) in New Orleans, LA in February.

B. SBC update.
   2. Request for CLE proposals sent to membership.
   3. Immediate Past President Bishop suggested that the MSBA consider offering scholarships and/or free attendance for members of the New Lawyers and BIPOC Lawyers Section.
Item 17. Committee reports.

A. Bylaws & Policies: new chair needed. ED Armstrong reported that a meeting has been set for March.
B. Civics Education: Chair Willey. ED Armstrong reported that the 2023 Law Day contests are now open and details are available on our website.
C. Continuing Legal Education: Liaison Stitham reported the Committee has some new members, and currently focusing much of its attention on virtual content.
D. Executive Director Evaluation: Chair Bishop: no report.
E. Investment Committee: Liaison Cutcliffe. ED Armstrong reported that the ending market value of MSBA investments on February 28, 2023 was $1,247,555.80. The overall change in the market value for 2023 (January 1 through February 28) was +$4,719.56.
F. Finance: Chair Faunce: no report.
G. Judicial Evaluation: Chair Cramer.

1. Family Law Magistrates received their evaluations in February. [FLM Evaluation results] posted to MBC. Because magistrates are hired by the judicial branch, recommendations for reappointment are not necessary.
H. Legislative Review & Response: Chair Okun reported that the Committee’s major focus so far in the session has been supporting additional funding for MCILS, civil legal aid, and the judiciary. President Stitham provided testimony supporting additional funding for these organizations in the proposed biennial budget last week. Today we are submitting additional testimony supporting additional funding for Guardian Ad Litems to match the rates that have been proposed for MCILS attorneys at $150/hour.
J. Medical-Legal: Chair Faunce: no report.
K. Nominating: Chair Stitham: no report.

Item 18. Section reports.

A. BIPOC Lawyers Section: Governor Echeverria: no report.
   1. Meeting: March 7 at 5:30 p.m.
B. New Lawyers Section: Governor Johnston reported that the Section is considering holding an in-person networking event in the spring.
C. Women’s Law Section: Governor Neumann: no report.
D. Governor section liaison reports: no reports.


There was no old business to come before the Board.
**Item 20. New business.**

ED Armstrong reported that she received a request from an attorney asking for financial assistance to pursue his L.L.M. in taxation. Although the Board understands and appreciates this request, it ultimately decided against granting a scholarship, grant, or stipend. Primarily, the MSBA does not have a policy to address such a request nor is such a request supported by the MSBA mission. ED Armstrong will inform the individual about the Board’s decision.

Adjourned at 3:05 p.m.

Respectfully submitted,

Angela P. Armstrong
Executive Director