CHARTER

MEDICAL LEGAL COMMITTEE

Approved by Board of Governors: May 19, 2020

PURPOSE

The Medical Legal Committee (MLC) is charged with the advancement of cooperative relations between attorneys and medical providers to adequately represent clients in a variety of legal cases that require the assistance and/or testimony of medical providers. The MLC seeks to balance the interests of the MSBA members in assuring that their clients can attain speedy and fair litigation that comports with the U.S. and Maine Constitutions, the Maine Rules of Civil and Criminal Procedure, as well as the Maine Rules of Evidence, *inter alia*, with the understanding and acknowledgement that medical/mental health providers should be respected and burdened to the most minimal degree possible, when attorneys seek to litigate pending matters involving medical/mental health providers.

The MSBA recognizes that both the legal field and the medical field change over time, and, as a result, the MLC is tasked with revising the Medical-Legal Code of Cooperation (Code) from time to time, with the guidance and input of the various stakeholders to the Code. The MLC will strive to keep the MSBA members and the Maine Bar at large, informed of any changes to the Code, and will strive to help educate the medical/mental health professionals who are signatories to the Code, informed of and educated on the needs of attorneys and the various constraints attorneys face due to the above mentioned rules and procedures. The MLC reports to the MSBA Board of Governors.

COMPOSITION

The members of the MLC shall consist of at least four existing members of the MSBA Board of Governors; the Committee is not limited to MSBA Governors and the Committee may have as many additional MSBA members as the Chair approves, ensuring that a fair cross section of the MSBA membership is represented. The Chair of the Committee shall be a current Governor of the MSBA.

The Chair and one other MLC member, as approved by the entire Committee, shall make up the MLC delegates to the overarching Medical-Legal Code of Cooperation Stakeholders group; the delegates shall report to the entire MLC and endeavor to represent the MLC to the greatest extent possible.
MEETINGS

The Committee meets at a minimum biannually or at the call of the Chair. Minutes will be maintained of all meetings.

PRIMARY RESPONSIBILITIES

In addition to any responsibilities assigned by the Board of Governors, the primary responsibilities of the Committee include:

- Develop, execute, and maintain efforts aimed at accomplishing the MLC mission, as stated in the Purpose section above.
- Collaborate with other organizations such as, the Maine Medical Association, Maine Hospital Association, Maine Chiropractic Association, Maine Trial Lawyers Association, and other organizations identified by the MLC to ensure a mutually cooperative relationship between lawyers and medical providers.
- Identify issues which impact members of the MSBA and their clients in the context of medical evidence and/or medical testimony.
- Examine the Code of Cooperation and if necessary, make recommendations for revisions to the Code of Cooperation to accomplish the MLC mission.
- Identify and recommend institutionalized enforcement mechanisms to ensure that all parties abide by the Code of Cooperation.
- Report MLC activities to the Board of Governors as requested by the Board of Governors.
- Develop materials and/or programming that can help educate medical/mental health providers on the issues MSBA members face through court procedure, rules, *inter alia*, to ensure a better understanding and appreciation of the court process by the medical/mental health providers.