February 2, 2021

Sen. Joseph Baldacci, Chair
Rep. Ann Matlack, Chair
Joint Standing Committee on State and Local Government
Maine State Legislature
100 State House Station
Augusta, ME 04333

Re: LD 2, An Act To Require the Inclusion of Racial Impact Statements in the Legislative Process

Dear Sen. Baldacci, Rep. Matlack, and Members of the State and Local Government Committee:

On behalf of the Maine State Bar Association, we appreciate the opportunity to provide comments in support of LD 2.

About us. The Maine State Bar Association is a statewide trade association chartered in 1891 by the Maine Legislature. The Association currently represents approximately 3000 attorneys in the State in both public service and private practice. The Association maintains 28 separate sections covering nearly every field of law practiced in Maine, from Administrative Law to Workers’ Compensation Law.

MSBA commitment to addressing systemic racism. The MSBA is strongly committed to steps that address systemic racism in our society, including with respect to the practice of law. On June 12, 2020, the Association issued a Statement on Equality which included the following:

As the state's oldest and largest professional association of attorneys, our mission calls on us to support a "fair and effective system of justice." This nation relies on the rule of law, and that rule must be fair to everyone, including people of color. Therefore, it is imperative that the legal community play a role in helping to dismantle institutional barriers, from within the legal system and in the larger community, and to address the biases that prevent people of color from enjoying equal protections under our laws in this state and this country. In short, racial inequality is a systemic problem that requires a systematic solution.

Following the issuance of this Statement, the Association resolved to undertake a range of actions to carry out these goals, including the following – many of which have been accomplished:

- Establish bylaws for a permanent committee to address issues of inclusion, diversity and equality
- Conduct planning to stand up a BIPOC (Black, Indigenous and People of Color) lawyers Section within the MSBA
- Consider the addition of new Section representative on MSBA’s Board of Governors
- Participate in and/or support for the Maine Diversity Summer Associate Program
- Collaborate with law firms on recruitment efforts to bring more Black lawyers into Maine
- Reach out to organizations working with Black youth to talk about careers in the law
• Partner with University of Maine School of Law on diversity and inclusion programs
• Recommend training and education for the BOG and staff
• Suggest changes or improvements to MSBA’s Continuing Legal Education (CLE) programming
• Survey MSBA members to collect data on how they identify themselves racially.

**MSBA supports the goal of LD 2.** Given the commitment of our Association to address systemic racism and to take steps within our own organization to positively address this problem within our society, we support steps taken by other organizations to do likewise. LD 2 represents an important acknowledgement that our laws can have a disparate impact on racial and ethnic groups, and it is therefore incumbent on Maine lawmakers to ensure there is a process for considering the impact of laws on racial groups. LD 2 acknowledges that the precise mechanism for achieving this goal needs analysis.

**Conclusion.** Addressing systemic racism requires positive action across our society, including Maine’s Legislative Branch. For this reason, we support the goal behind LD 2 and urge the Committee to adopt language that helps further these important goals.

Sincerely,

Kelly McDonald  
President, Board of Governors

cc: Angela Armstrong, Executive Director  
James I. Cohen, Verrill Dana, LLP