

**JUDICIAL BRANCH
CIVIL PROCESS IMPROVEMENT
STAKEHOLDERS WORKING GROUP**

Type: Stakeholders Working Group with Executive Committee
Established: November 15, 2018
Chair: Jennifer A. Archer, Esq.
Report Date: March 29, 2019
Reports to: Supreme Judicial Court

I. Purpose:

The current one-size-fits-all civil process for most civil cases in Maine, which provides for standard scheduling orders and limited case management, may create too much process for some simple cases and too little process for more complex matters, which may affect the length and the cost of litigation to parties and to the Judicial Branch.

In an effort to design and implement a proportional civil process that accounts for the individual features of particular cases and leads to the just, efficient, and relatively inexpensive resolution of civil cases, a preliminary working draft of the Maine Rules of Civil Procedure was prepared and posted for public comment on September 5, 2018.

This Charter creates the Civil Process Improvement Stakeholders Working Group to provide the Supreme Judicial Court with additional input from the Maine Bar regarding the preliminary working draft. The Working Group will consider and evaluate the suggestions and comments submitted to the Court for improving the draft and will address further proposals for improvement. The Working Group will provide to the Court, by March 29, 2019, a final report, which shall include proposed amendments to the Maine Rules of Civil Procedure that reflect the unified recommendations of the Bar to accomplish civil process reform.

II. The Chair, Executive Committee, and Membership:

The Chair of the Stakeholders Working Group, and any successor to that position, shall be designated and appointed by the Supreme Judicial Court.

The Executive Committee shall comprise the attorneys identified in the membership roster attached hereto. Any vacancy arising on the Executive Committee shall be filled by the Chair from among the membership of the Stakeholders Working Group.

The Chair and the Executive Committee shall draw the membership of the Stakeholders Working Group from among those attorneys who expressed an interest and an ability to commit to the work required of the Working Group.

In consultation with the Executive Committee, the Chair shall (i) identify and separate Maine's civil process, rules of procedure, and related issues into appropriate segments for study and recommendations; (ii) establish a subcommittee for each segment; (iii) designate a member of the Executive Committee as Lead for each subcommittee; (iv) assign each member of the Stakeholders Working Group to a subcommittee; and (v) establish a deadline for the completion of the work of the subcommittees. The subcommittees may, in their discretion, consult with others who are not members of the Group but who may provide additional insight and guidance into the matters under consideration.

The Court's intent is to allow flexibility to the Executive Committee to select members of the Working Group who have a range of experience and reflect areas-of-practice and geographic diversity.

III. Meetings:

At times and locations they determine, the Chair shall schedule the meetings of the Executive Committee and the Stakeholders Working Group, and the Leads shall schedule the meetings of the subcommittees. The meetings may be held in person or by phone or video.

Each subcommittee shall meet, consider, and evaluate its assigned segment of the civil process and issues, together with the preliminary draft rules and the various suggestions and comments presented to the Court, and has discretion to consider any issues or information beyond the scope of the primary work of the subcommittee. Each subcommittee shall report its conclusions and recommendations for consideration by the entire Stakeholders Working Group.

At times and locations determined by the Chair, the full Stakeholders Working Group shall meet to review the ongoing work, conclusions, and recommendations of the subcommittees, and shall consider and evaluate the civil process, rules, and issues in their totality.

IV. Reporting:

The Working Group will provide a final, consolidated report to the Supreme Judicial Court on or before March 29, 2019, unless otherwise directed by the Court.

V. Commission Duration:

Unless extended by further action of the Chief Justice, the Working Group will cease to exist on March 29, 2020.

Dated: November 15, 2018

Approved by:

_____/s/_____
Chief Justice Leigh I. Saufley
Maine Supreme Judicial Court

**JUDICIAL BRANCH
CIVIL PROCESS IMPROVEMENT
STAKEHOLDERS WORKING GROUP
MEMBERSHIP ROSTER**

Chairperson

Jennifer A. Archer, Esq. **(Chair)**

Executive Committee

Kristin Aiello, Esq.

Eric J. Wycoff, Esq.

Jodi L. Nofsinger, Esq.

Frank D'Allesandro, Esq.

Members

The Chair and the Executive Committee shall determine the members of the Stakeholders Working Group.