

**TOP FY 2000
Project Narrative**

Pine Tree Legal Assistance, Inc.

**Grant # 23-60-00002
Portland, ME**

Help Me Law Abuse Project

Project purpose

Every year, over 6,000 petitions for emergency protection from abuse orders are filed in Maine courts; anecdotal evidence suggests the actual number of victims needing those orders is much higher. Maine's Governor has identified domestic violence as Maine's "No. 1 public enemy" in his 2000 State of the State address.

Domestic abuse can be found in every Maine town and community and strikes regardless of resources, although a disproportionate number of victims are low-income individuals left particularly vulnerable when they flee domestic violence in their homes. Typically, victims first seek shelter with a local domestic violence project and then rely on project staff to assist them in filing for emergency protection from abuse orders, which are granted on the basis of the victims' written statements in the complaint and affidavit. Because state statute requires the judge to meet with the alleged victim if s/he intends to deny the request for an emergency order, victims frequently remain or return to court (19-A MRSA § 4006(4)). Often, abusers anticipate court filings and confront victims at the courthouse (as described in Judge Field's letter in the Appendix), creating the potential for intimidation and violence. Since most of Maine's rural courthouses are old and lack adequate security, local domestic violence advocates usually travel with victims to offer support and a sense of safety as they seek court orders. Many of the shelters and safe houses are located some distance from courthouses.

Among barriers that serve to discourage victims from pursuing a court orders that could save lives are: (1) fear of encountering the abuser; (2) poor literacy skills for completing the necessary court forms; (3) lack of transportation to the courthouse; (4) little awareness of other legal assistance available to victims; (5) no local access to American Sign Language (ASL) interpreters for the hearing impaired. These problems are exacerbated by the limited resources available at Maine's under-funded domestic violence projects and courthouses, by the rural nature of the State and by nonexistent public transportation, which make centralizing information and assistance impractical and inefficient. (Not only does Maine lack intercommunity transportation systems and roadways in rural areas; residents of Maine's coastal islands are served by mainland courts and shelter systems that can be reached only by limited ferry service).

Since videoconferencing links between the victim and the court would obviate the need for the victim to travel to the courthouse, all of these barriers might be addressed through the use of technology. The Project will combine "state of the art" technological innovations with a computer network connecting Maine courthouses, domestic violence shelters and legal service providers in a pilot project area. In the second phase of this project, which presumes creation of a new "intelligent" website providing centralized information, court pleadings and other resources for all Maine residents, the provision of new public access terminals in Maine courthouses and domestic violence shelters around the State will result in barriers (1) and (4) being eliminated for domestic violence victims statewide. It will also provide support for other Maine people needing legal information and assistance.

Propose a credible solution that employs network technologies

By deploying superior Cisco System (or equivalent) router technology in combination with Bell Atlantic data circuits, CommTel Internet or a comparable vendor will build a secure, private, wide area network [SP-WAN] to provide state-of-the-art video conferencing which will allow victims to remain in shelter as they seek the necessary emergency protection order. More importantly, judges will be able to see and speak with victims, expanding the range and type of information available to support a successful request for an emergency order. Using digitally compressed imagery, video affidavits can be submitted to appropriate courts for consideration as soon as judges are available, without requiring victims to wait indefinitely in public places while judges hear other matters. The same high-resolution video technology can also support communications between victims anywhere in the pilot project area and legal service advocates based in at some distance from shelters and courts (at virtually any of Pine Tree Legal Assistance frame relay sites), and between victims throughout the project area and ASL interpreters based in Portland (by using Pine Tree's Portland office connection).

Identify realistic, measurable outcomes that result from implementation of the project

The creation of this new legal support network will impact the partners' service in several important ways: 1) an increase of 10% in the number of emergency protection from abuse orders providing issued in the service area; 2) cost savings for courts and shelters as use of video technology facilitates face to face meetings with local judges, reducing travel and scheduling inefficiencies; 3) an increase in use of legal service advocates by victims of domestic abuse; 4) enhanced services to victims of domestic violence who are deaf through video transmission of ASL interpretation on an "as needed" basis.

Why this project is innovative

The integration of technology-assisted and remote advocate-assisted online document preparation with electronic filing, video attestation and remote video conferencing between domestic violence victims and courts is unprecedented. Implementation of the Project will allow for the provision of more secure, timely and efficient services by the courts, legal service providers, and the domestic violence advocacy network. Despite the relatively strong investment that the Maine has made in the use of technology and Internet-based applications (some of which were supported with earlier grants from the Department of Commerce), creation of an SP-WAN linking the domestic violence shelters and courts has never been attempted in the state.

While there are precedents for both the proposed use of technology and the linkage between the courts and victim services, this project extends the application of earlier models in several important respects. Unique here is the partnership between courts, domestic violence projects and legal service providers, *which will allow a specific legal proceeding (emergency protection from abuse orders) to move forward through the use of this new technology.* Previously, in New York technology allowed criminal courts in the Bronx to communicate directly with providers of victim and batterer service providers. A 1999 TIAPP grant to Florida Rural Legal Services created client access to legal service providers from public libraries. Moving far beyond improved communication between two distant locations, the use of technology in the Help ME Law Abuse Project *will directly impact on the delivery of court ordered protection* for victims of domestic violence in a large rural area. In previous models, while the technology demonstrated

the advantages of “face to face” interaction, actual court relief was obtained in the traditional manner, through personal appearances and submission of written documents.

Diffusion Potential

Pine Tree Legal Assistance has already received national attention for its website use of Internet-based technology to expand legal services to Maine’s low-income population, by offering 30+ legal education pamphlets and interactive court pleadings in family law. These efforts have been showcased before the American Bar Association, at legal services conferences in 1998 and 1999, and, most recently, at a National Conference on *Pro Se* Litigation, which was sponsored by the American Judicature Society and the Open Society Foundation in the fall of 1999 (see Judge Field’s letter to Judge Coffin in the Appendix).

Although this project involves a high-level partnership between the State court systems, legal services, domestic violence projects and a local ISP, the technology that makes it possible can easily be replicated in any state with comparable domestic violence. In addition, the level of commitment and energy provided by CommTel Internet in developing this project has already inspired a plan to use similar technology to link all of Maine’s five legal service providers, in order to promote collaboration and sharing of limited training and technical resources.

Project Feasibility

The creation of the SP-WAN connects three domestic violence projects in Lewiston, Rockland (served by the Belfast Court) and Brunswick (served by the West Bath courthouse), three courthouses in Lewiston, Belfast and West Bath, and the Pine Tree Legal Assistance offices in Portland, which also houses the Volunteer Lawyers Project (organizing *pro bono* services from Maine lawyers statewide.) and Lewiston. This network will allow: on-line preparation of the forms necessary to secure emergency protection from orders and electronic filing of those papers with the appropriate court; direct video consultation between domestic violence victims in remote locations and legal services and volunteer domestic violence attorneys in any Pine Tree office around the State (all of which are already connected via a separate frame relay system to the Portland office); filing of video affidavits attesting to the electronic documents; when necessary, video conferencing between judges and domestic violence victims; and finally, access to ASL interpreters, generally available only in Portland, Maine’s largest city.

Four technology considerations are critical to the success of this network: 1) it must support sufficient bandwidth to allow ASL interpretation by video through interpreters (where real time imaging is crucial to understanding); 2) it must support communication between shelters, legal service offices and courthouses in the pilot area; 3) it must be secure because of the confidential nature of the communication and the potential danger to domestic violence victims; 4) it must provide internet access for the purposes of on-line document preparation and electronic filing. To address those concerns, the SP-WAN will consist of a central high capacity firewall / router (Cisco 2620 or equivalent), located in Pine Tree’s Portland office, that will handle three T-1 lines to remote locations. The network will be expanded by tCisco 2620 or equivalent routers in each of the pilot family violence shelters and Cisco 1720 routers in the courthouse locations and Pine Tree’s Portland office. This system of routers will be linked by a variety of point to point T-1 lines, frame relay T-1s and Symmetric Digital Subscriber Line circuits (SDSL). The network

will also provide a DSL Internet connection through Pine Tree in Portland for access to the on-line document preparation and filing (by encrypted e-mail) in the court locations. Each of the locations on the network will have a high-resolution video enabled Pentium III, 500 MHz computer. The courthouse and shelter locations will include VCRs for recording evidence in the shelters, and making court records of the video affidavits. The shelter locations will each have a video recorder to provide higher quality video recording and transmission. Finally, the statewide domestic violence Coalition office will purchase their own computer and video system so they can participate via the Internet in training activities related to this project.

The second phase of the Help ME Law Project adds a network of public access computer terminals located in 24 courthouses, in addition to seven computer terminals housed in Maine's remaining domestic violence advocacy organizations. These computers will provide access to Internet based legal information about court proceedings, access to court forms and on-line document preparation, and access to a wide range of legal information for *pro se* litigants and low-income people, generally. This network will consist of (31) 466 MHz computers with modems for dial-up Internet connection and printers in each location. Each will include a secure workstation. Courthouse volunteers will be available in most locations to assist the public.

Separate related funding is being sought from the Legal Services Corporation to construct the new client portal website, *HelpMeLaw.org*, which will provide legal information about court proceedings, access to interactive court forms in a wide variety of areas, on-line document preparation for administrative proceedings, and access to a wide range of legal information for *pro se* litigants and low-income people, generally.

Applicant qualifications

Pine Tree Legal Assistance has been a statewide provider of free legal services to low-income individuals with civil legal problems since 1967 and is recognized as one of the most effective legal service providers in the country. Its public website receives close to 900,000 "hits" on an annual basis and its offices are linked via a frame relay system that supports both data and voice transmissions. Litigation Director/webmaster Hugh Calkins serves as a consultant for legal service programs around the country who are exploring the use of technology to expand access to justice by low-income individuals. (See Julia Gordon's support letter regarding the leadership shown by Pine Tree and Hugh Calkins, in the Appendix.) Pine Tree also operates a system of courthouse assistance projects in over 10 Maine District Court locations in southern Maine, whereby volunteers assist low-income individuals in completing court paperwork and answering basic questions about court procedures. Pine Tree staff also have worked extensively with the Maine Judicial Branch on services to *pro se* litigants and serve on several Court committees and task forces related to the justice system in Maine. The US Civil Rights Commission also has recognized pine Tree as a partner organization in expanding services to individuals with disabilities, including members of the Deaf community.

The Maine Judicial Department includes 31 Maine District Courts in 16 counties around the State. Although one of the most under funded courts in the nation, Maine Courts have demonstrated a strong commitment to the needs of victims of domestic violence and unrepresented litigants, through the work of several internal teams focused improving court

systems and forms for handling protection from abuse proceedings and proceedings. Maine District Court Judge Joseph Field, whose letter of support appears in the Appendix and whose court will be one of the three participating pilot sites, was selected by the Chief Justice Daniel Wathen to head the sent to the 1999 National Conference on *Pro Se* Litigation Support.

The Maine Coalition to End Domestic Violence was founded in 1977 as a statewide organization with the singular mission of ending domestic abuse. The organization works to provide quality, community-based services for victims of domestic violence and their children, and serves as a voice victims of domestic violence before the Legislature and in other public forums. Its members operate emergency shelters and safe homes, and provide supportive services including advocacy in court proceedings.

CommTel Internet (CTI) is a wholly owned subsidiary of Community Service Communications, Inc, a locally owned company headquartered in Winthrop which has served Maine residents for more than 100 years. Under the CommTel family banner, subsidiaries offer diverse telecommunications, including local telephone, paging, and cellular services. CTI is the only Maine-based ISP with dual T3 fiber optic lines on separate backbone providers (UUNET and PSINet.) CTI's service offerings including dedicated and dial-up access, voice over IP, videoconferencing, web hosting and website development.

The Maine Bar Foundation is a nonprofit organization which manages Maine's IOLTA funds for legal services and encourages the coordination of services and resources to address unmet legal needs of Maine's most vulnerable citizens, including victims of domestic violence. The Foundation has helped staff and organizes several forums and ongoing task forces in this area. Executive Director Calien Lewis has indicated a commitment to provide discretionary funds for the access terminal phase of this project in her letter of support in the Appendix.

Budget, implementation schedule and timeline:

The total budget for the proposed project is \$ 761,058, of which \$374,112 of the total is being sought from NTIA, and \$386,949 is being provided as matching funds:

- Personnel salary and fringe benefits of \$164,691 (of which \$88,853 is a match)
- Equipment costs of \$126,122 (of which \$68,488 is a match)
- Supplies costs of \$5,000 (all costs above this will be provided as a match)
- Contractual services valued at \$227,200 (of which \$156,000 is a match)
- Other costs of \$237,045 (of which \$72,605 is a match)

The project will be implemented over a three year period: (1) Implementation of the pilot project will begin in Year One. The e first year will be set aside to order the necessary equipment and install the SP-WAN, as well as to develop the special Court rules related to the pilot project and to familiarize all participants with the technical features of the SP-WAN. The actual pilot project will take effect on October 1, 2001 and run through September 30, 2003 as a 24-month project in West Bath and Belfast courts. The new Lewiston court facility will be ready in October of 2002 and it will be added to the pilot project for Year 3. (2) Implementation of the new access terminals will begin in Year One with the development of the *HelpMELaw* website that will

serve as a clearinghouse of information for all court customers. Half of the court access terminals will be operational by October 1, 2001, with courthouse volunteers available in 12 Maine District Court locations to assist court customers in accessing this information. Also, by October 1, 2001, the staff of all 10 domestic violence projects in Maine will have computers installed in connection with this project to assist their clients in accessing the website and related tools. By October 1, 2002, the remaining 12 courthouse access terminals will be installed and volunteers will be available to staff those terminals on a regular basis.

Sustainability

Given the high-level of interest in this project expressed by Maine's Governor and Chief Justice, and the high priority placed on domestic violence prevention by the Maine Legislature and charitable foundations in Maine and elsewhere, it is reasonable to suppose that the modest ongoing monthly costs of maintaining the network can be sustained by direct state appropriations to the Maine Judicial Branch, Pine Tree Legal Assistance and/or the Maine Coalition to End Domestic Violence, allowing for continuation or expand the pilot project. Project participants will also actively seek private foundation funding.

Community Involvement

Three separate efforts have led to the development of the Help ME Law Abuse Project. The first began in the early 1990's when the Judicial Department established a statewide advisory group on court performance and customer service, which included representatives from legal service and domestic violence advocacy organizations. At the same time, the Court established several smaller teams focused on specific court procedures: Judge Field, a key player within the Judicial Department on this project, is a member of the Court Protection from Abuse/Protection from Harassment Team. The second effort began in 1995, as a conscious effort to promote state planning for legal service delivery, in order to minimize the impact of funding cuts to the State's primary legal service providers. With leadership from Chief Justice Wathen and Senior Federal Court Judge Frank M. Coffin, several specific task forces were established to improve coordination and delivery of services to the poor, including groups focused on the use of technology, improvements in initial intake and referral of callers, and the use of the private bar to deliver *pro bono* services (titled the Justice Action Group or JAG). While concern about the impact of unrepresented litigants on the justice system had been included in these previous efforts, awareness was heightened by the convening of a national conference on *pro se* litigant support by the American Judicature Society in the fall of 1999. Maine's five-person team returned from that conference with a proposed Action Plan for the State, which includes the efforts contained in this proposal. As Judge Field's letter to Judge Coffin in the Appendix confirms, the Action Plan has been presented to Court leadership and the JAG. The JAG has agreed to the formation of a new task force to be chaired by Maine Supreme Judicial Court Justice Howard Dana specifically focused on the needs of *pro se* litigants.

Partner organizations

Pine Tree Legal Assistance will be the lead agency in supporting this proposal, providing key staff support for the project as a whole and hosting one of the key computer terminals in the SP-

WAN serving victims of domestic violence. Pine Tree will organize/provide the training for staff of the Maine Judicial Department and domestic violence organizations in use of the SP-WAN and other resources on the *HelpMELaw* website. Pine Tree will seek funding support for development of the *HelpMELaw* website and provide staff support for the website. Finally, Pine Tree's existing courthouse volunteer network will be trained to assist *pro se* litigants with new court computer terminals.

Maine's Judicial Department will donate space for 24 public access terminals to be purchased with this Grant, and devote substantial staff resources to Project development and implementation. Grant funds will also be used to support access charges for an 18-month period; thereafter, new funding will be sought by the Judicial Department to maintain services. The Court will also draft new court rules and deal with other concerns arising from the pilot project. The Court will organize a special training program for its staff in the use of the new SP-WAN and the public resources available for court customers. Members of the Court *Pro Se* Task Force will help develop new "digitized" videos for the website to assist court customers understanding of courtroom procedures. The Court Volunteer Coordinator will recruit and train volunteers to provide assistance to court customers wishing to use the public terminals.

The Maine Coalition to End Domestic Violence and its member organizations will provide donated space and equipment for 10 computer terminals, including 3 terminals connected to the SP-WAN and 7 terminals with high-speed Internet access. They will also sponsor staff trainings in the use of the SP-WAN and *HelpMELaw* website, and serve as a statewide resource for local domestic violence project staff. MCEVD Statewide coordinator Tracy Cooley and Member Services coordinator Dorothy Chocensky will be key figures in working with MCEVD member agencies on both the pilot project and access terminal phase.

The Maine Bar Foundation will provide funding and staff support to organize ongoing collaborations around the Help ME Law Abuse Project and the larger Help ME Law Action Plan, including future development of a public relations campaign to promote public awareness of the new court house computer terminals and website. The Foundation will contribute up to \$100,000 of discretionary funds to this Project in order to establish the network of public access terminals in 24 Maine District Court locations and 7 domestic violence projects around the State.

Support End Users

The typical user of the new Help ME Law Abuse Project will be a female victim of domestic violence who has fled an abusive relationship and has entered a safe house operated by one of Maine's ten domestic violence advocacy organizations. Often she has a limited education. Under extraordinarily stressful conditions, the shelter staff must help the victim fill out the paperwork for an emergency protection from abuse order and assist in filing that request with the courts, while insuring the needs of the victim and those of her minor children are being addressed by the court system. Through the Help ME Law Project, shelter staff will be able to address these needs simply by sitting down with the victim in front of a computer terminal, talking first with a legal service advocate (and an ASL interpreter, if necessary) to develop the legal case and finally accessing the court via the SP-WAN to submit court documents and video affidavits. This is a

more convenient, efficient and safer process for victims, their families, and shelter and court staffs.

Court personnel who might otherwise be inappropriately asked to provide legal advice directly to these unrepresented litigants will typically direct users of the courthouse-based public access terminals to the computers. In many courts, use of the computer terminals will be supported by specially training volunteers recruited by the Court Volunteer Coordinator or Pine Tree Legal's existing courthouse assistance project volunteers. If the user desires, the volunteer can help in navigating the *HelpMeLaw* website, prompting her/him to select the screens most relevant to her/his legal problem/question. Volunteers can also answer basic questions about the court forms provided on the website.

Reducing Disparities

Because victims of domestic violence are uniquely vulnerable to both paper and electronic trails which allow abusers to track them, they must depend on the anonymity and protection of shelters or court-based systems to obtain court ordered protection from abuse. Maine's courthouses are not computerized, nor do they provide staff or public access to the Internet. Access to ASL interpreters is also problematic in outlying areas despite legal mandates regarding discrimination against the deaf community. While the Maine Coalition to End Domestic Violence member agencies do have older computers with dial-up Internet access, they have had little incentive to use the Internet or technology since paper-driven systems currently generate the court-ordered protection their clients require. Likewise, shelters have had only limited success in identifying local ASL interpreters who could assist hearing-impaired victims of domestic violence.

Evaluation Plan

The Project anticipates working with evaluation professionals in designing and carrying out an evaluation plan (see attached Evaluation Plan in the Appendix). The evaluation will begin by establishing base line data against which to measure the impact of the project, identifying means for improving it and expanding the model statewide (as well as replicating it in other states). Among the outcomes to be assessed are: the impact on the numbers of victims able to obtain emergency protective orders; the efficiencies in time and costs realized by shelters and courts in streamlining the process; the impact on safety concerns of victims, shelters and courts. It is anticipated that focus groups, in-depth interviews and questionnaires will be used in the evaluation process. All partners to the project have pledged cooperation and access to relevant data and personnel in the evaluation process. The proposed budget for the evaluation reflects the need to conduct data gathering and work with personnel in four different Maine locations participating in the pilot project, as well as the need to work with an appropriate sample of access terminal locations. Based on discussions with an experienced legal service evaluator, Karen Monahan, the budget has been estimated at \$30,000 based on the need for a qualified evaluator to spend up to 60 days at a standard billing rate of \$500/day.