

Maine Law Review

Volume 71
Number 2 *Symposium: Ensuring Equal Access
to Justice in Maine's Rural Communities*

Article 10

June 2019

Symposium Panel: Ensuring Access to Justice in Maine's Rural Communities

Kevin Stitham

Sarah Gilbert

Toby Jandreau

Adam Swanson

Follow this and additional works at: <https://digitalcommons.maine.law.maine.edu/mlr>



Part of the [Law Commons](#)

Recommended Citation

Kevin Stitham, Sarah Gilbert, Toby Jandreau & Adam Swanson, *Symposium Panel: Ensuring Access to Justice in Maine's Rural Communities*, 71 Me. L. Rev. 1 (2019).

Available at: <https://digitalcommons.maine.law.maine.edu/mlr/vol71/iss2/10>

This Panel Discussion is brought to you for free and open access by the Journals at University of Maine School of Law Digital Commons. It has been accepted for inclusion in Maine Law Review by an authorized editor of University of Maine School of Law Digital Commons. For more information, please contact mdecrow@maine.edu.

Symposium Panel: Ensuring Access to Justice in Maine's Rural Communities*

MODERATOR
Chet Randall

PANELISTS
Hon. Kevin Stitham
Sarah Gilbert
Toby Jandreau
Adam Swanson

ABSTRACT

The dichotomy between the greater Portland area and Route One corridor, and Maine's rural inland and Down East communities, is stark in many ways—economic, cultural, political, and spatial. These differences converge when it comes to the availability and accessibility of process and justice, and find particularly vivid expression in Maine's well documented rural lawyer shortage. How is the rural lawyer shortage affecting Maine's rural communities, what steps are being taken to address those problems, and what more can be done? In short, what can be done to ensure Maine's rural communities are not denied an effective justice system?

PANEL DISCUSSION

[The MODERATOR introduced the panelists and asked JUDGE STITHAM to speak generally about his experience as a District Court judge in Dover-Foxcroft.]

JUDGE STITHAM: I think I should start with the Judge Nelson disclaimer. I don't even speak for Judge Nelson. But I was born and raised in Piscataquis County, and Piscataquis County is the only wilderness county east of the Mississippi. It's the poorest county in Maine. It has the oldest population. Recently, we've had the distinction of being the least healthy, and some sort of show awarded our county seat, Dover-Foxcroft, the title of the most boring town in Maine.

Now, what's remarkable is to see the change that's taken place since 1978 when I came back to Dover-Foxcroft. When I came back in 1978, there were five attorneys at the Hayes Law Office, and as Stu Hayes liked to say, it was the largest law firm between Bangor and Quebec City. And there were three solo attorneys in Dover-Foxcroft. There was a total of eight attorneys in Dover-Foxcroft in 1978; four separate law firms. Today, in Dover, we've got three attorneys; three separate law firms, three solo attorneys. So it's—that's the county seat. It's gone down from having eight attorneys to three.

In Milo in 1978, there were two solo attorneys. There hasn't been an attorney in

* This Panel Discussion was held on April 26, 2019, at Colby College. This transcript has been lightly edited.

Milo since 2006. That's thirteen years with no attorney in Milo. Guilford had two attorneys, one law firm, and it hasn't had an attorney since 1991. Greenville had one attorney, and today they have half an attorney. By the way, what does half an attorney look like? That would be an attorney that spends half their time in Pittsfield and half their time in Greenville.

Now, the point is that over Piscataquis County's entire history—Monson, Maine, at one time, actually had three attorneys in the 1800s. Blanchard, of all places, had one attorney; Hartland had one attorney; Wellington had one attorney; Sebec had one attorney; Sangerville had one attorney; Katahdin had two attorneys. I have no idea where Katahdin is. And Brownville had two attorneys.

And so the reality is that in 1978, we had eight lawyers' offices in Piscataquis County; four lawyers' offices in Dover, two in Milo, two in Guilford, and one in Greenville, so we had thirteen attorneys in Piscataquis County. And today, forty-one years later, we've got three-and-a-half attorneys. We've got four lawyers' offices; again, three in Dover and one in Greenville. And the reality is—the Hayes Law Office started in 1889, and I left there in 1998. And the Hayes Law Office, in its entire history, was the worst run as a business of any possible business. What our philosophy was, whatever you needed, we did the work, we never turned a client back because they couldn't pay. And if we got paid, it was just a better day. I'm telling you, that's the reality. I mean, that really is the reality.

My dad practiced medicine in Dover from 1947 to 1987, and he never turned a patient away. And the point is, there was a sense of community, a sense of professionalism where you did the work; it was never “you can't pay that.” And the reality of the business model—and I won't mention the lawyer's name, for obvious reasons—but he posed the question, quite accurately, to new lawyers, “Do you want to work four hours and get paid only for two; or do you want to work for two hours and get paid for two?” And his model was, “I want to work for two and get paid for two.” The Hayes Law Office model [was], “I'll do the work for four, and hope I get paid for two.”

And so, the reality of Piscataquis County is it's just hard to find an attorney, and so we have more and more pro ses just because (A) there aren't any lawyers; and (B) they couldn't afford a lawyer if there was a lawyer, because lawyers are not cheap.

MODERATOR: Thank you, Your Honor. I think there was one other characterization, if I recall from our prior conversation, that on occasion, you would go—as a justice, go for a period of time with seeing a lawyer how often?

JUDGE STITHAM: Oh, there are times—I can have a week—it's rare, but I can have a week where I don't see an attorney; there's that many pro ses. You see, that's the reality because the lawyers out there, they say, I know what it's like dealing with pro ses because, you know, you're the lawyer and they're not the lawyer; okay, but the only people that know what it's really like to deal with the pro ses are the judges. When you're in the courtroom and there are no lawyers there and you turn to these people representing themselves and you say, call your first witness, and they say, I don't have any witnesses.

Or one person said, I don't have any witnesses, but I've got some numbers.

And I said, well, what are those numbers.

They said, they're phone numbers.
I said, you think I'm going to call them up?
And they said, yes.

It was Oscar Wilde that said all professions are conspiracies against the laity. And here's the reality. People come in and I'll say well, you know, do you know the—have you read the Rules of Evidence. And then I say well, we're going to have a trial and the Rules of Evidence are going to apply. It's like if we said do you speak Hungarian, and they say no, I don't speak Hungarian, and I say I'm going to start the trial in five minutes; it's all going to be in Hungarian. That's what we do with regard to that, and the reality is that you're—if you're a judge, lawyers are really helpful because they help organize cases and organize questions.

When you're the lawyer—when you're the judge and you have to act as the judge, you can't be either person's lawyer. When it's a small claims case and you're charged with that responsibility of being Judge Judy without the pay, well, that's one thing, but in any—I mean, small claims are small claims without any Rules of Evidence, but everything else in the criminal cases, you'll have court-appointed attorneys, you have lawyers of the day, but in those cases that aren't criminal cases and they aren't the VC cases and you're dealing with pro se litigants who might have a sixth—a functional sixth-grade education, it's a different world. A world that you can't even imagine because you are the lawyer, and you're seeing something different.

MODERATOR: Thank you, Your Honor. If I could, Sarah, moving across the state, is there anything—any characterization of what this dichotomy between southern Maine and urban—Portland urban region from your practice or the area that you work in that the judge hasn't identified?

MS. GILBERT: That's a good question. So I practice primarily in Knox, Lincoln, and Waldo County. A lot of folks, rightfully so, would not consider the Camden area to be sort of your stereotypical rural space in Maine, but believe it or not, you get—you know, interior Waldo County becomes quite rural quite quickly, and suffers from a lot of the same problems as the other rural communities across the state. And I guess to answer your question directly, one of the issues I see, and this is an issue as old as the practice, probably, but there still is a significant perception problem amongst residents of rural communities that if they hire locally, they're getting less than, or they're getting somebody who is too conflicted, perhaps, to be impartial or to zealously advocate for their interests. So this idea that you have to go to Bangor and you have to go to Portland in order to get good representation is alive and well, and that affects litigants' perceptions of the justice that they do receive and the outcomes of their cases, so that's one issue.

And then to answer your first question about what does access to justice mean; at least in my area of practice, which is, primarily, family law, one of the biggest I've seen with accessing justice is timely resolution to issues that are somewhat emergent for family law litigants. So whether it is access to an expedited interim hearing to get child support, or to get health insurance, or to get spousal support, or to get exclusive possession of a home in sort of a toxic, you know, perhaps violent scenario, accessing timely resolution to those issues early on in family cases causes a lot of

problems when it doesn't happen. And I know that the case management system has done its best to address those concerns and to expedite cases along as they should be in those instances, but it's still a huge problem and compounded, of course, is if you're pro se, you don't know what a motion or an interim hearing is, and so a lot of folks suffer unnecessarily because they don't have the tools to request the remedies that they would otherwise be entitled to.

MODERATOR: Thank you, Sarah. If I may, I'd like to move our conversation to some of the structural challenges that have perhaps created barriers to access to justice, but also maybe created a dynamic that the justice identified. Toby, could you help us begin the conversation by identifying some of the challenges you see for access to justice and availability by way of availability of counsel?

MR. JANDREAU: Okay. So I'm up in Fort Kent. How many of you have been to Fort Kent? Wow. That's awesome. Okay. So—I'm surprised. So, as you know, we are at the end of the road; literally, Route 1 ends in Fort Kent. The other end is Key West. No, really. There's a marker and everything. So one of the obstacles that we're dealing with, and this is—I'm going to stray from wearing my legal hat here. I grew up in Fort Kent. I graduated in '94. I went to the University of Maine at Orono. I worked in social work for a few years. Needed to get away from relationships, so I went to law school. It worked. And then I met my wife, who happened to be from The Valley as well. We met down in Portland when we were down there, and we—she got her master's in social work, and I got my law degree, and we were going to make a life for ourselves, and rent was like \$1800 a month for not a nice place, and we had a baby, and I was driving to Biddeford every day and then driving back home, and I'd stop at Hannaford on Forest Ave. and buy groceries. I'd go home, eat supper, do it all over again. I was like, we can do this anywhere in the world. Like if all we're doing is going to Hannaford, cooking supper, and going to bed, I can do this anywhere. We stopped having any fun in Portland.

My wife and I always had a conversation that it was really sad at how fast our town was dying. I graduated in a class of 140 in 1994. (I was seventieth, thank you.) And my mother graduated in '71 with a class of 300. Last year, they graduated seventy (which was my number). So my wife and I had always said that if we ever had an opportunity to go home, that we—we'd meet people at the Hannaford on Forest Ave. because that's where everybody from Fort Kent would shop there. They went to Gray's a lot, too—so we'd meet them, and we'd always say it would be so nice to go back home, and we always—oh, that would be really great if we could go back home. And we all still called it home. I'm forty-two years old, and most of the people my age who are living in York County or wherever they're living, York and Cumberland mostly, they still called it home. They're forty-two, and it's home. The problem is nobody's directing a pathway home. You have to make your own path.

So I was—it was nine years ago, I was thirty-three. I was thirty-three years old, and we loaded up a Ryder truck with a four-month-old baby and my wife, and we drove to Fort Kent, and we moved into a house that we found three days before we got there because there was no place to live in Fort Kent for us. We knew somebody who knew somebody.

When we talk about structural—I mean, getting—it won't do you any good to

get people to lawyers if there are no lawyers, and this is how hard it is for me. I mean, I've been—we've been in my part of the state before Maine was a state. We crept across, we weren't sure who it belonged to, and put a house there; and it's hard for *me* to get back. There's no one more native than I am.

Once we got there, all of the obstacles that we had run into when we left home all those years ago; I was gone, I left in '94, and then we came back as many years as we'd been gone, seventeen years, so we left at—we came back seventeen years later. All the obstacles that were there when I left were still there, which is in the community, you tell your kids, you know, if you don't work hard, you're going to end up stuck here. I heard that, you know, if you don't do better, you're going to be stuck in Fort Kent, like it's the worst thing in the world.

And educationally, we geared everything towards exporting as many children as quickly as possible. So if we start with diminishing the number of people we have who are viable who could potentially be an attorney. Of course we don't have attorneys; we're cutting our numbers down right from the get-go. So I got on the school board, and I'm working on that, and I'm working with the superintendent on trying to target that narrative—cause the narrative's there, on the school board level— (The narrative's not there, we don't talk about that.) But you go like, Ms. So-and-So, she was my English teacher, and she was awful then and she's awful now. But, you know, that's a structural issue that the state of Maine needs to deal with. And just an anecdote; one thing that I saw that was really interesting was I got one of these SurveyMonkey things, and I know it's very serious business when it's SurveyMonkey, asking me—asking about lawyers returning to rural and going to rural Maine. First question is do you practice in rural Maine, and if your answer is yes, the questionnaire is over. Second question is since you don't practice in rural Maine, what would it take to get you to rural Maine.

So, I don't know, they don't know anything about rural Maine. They're practicing in Portland. How would they know what there is there for them and not for them? And I find that that tends to be the issue: ask me what's good about rural Maine and I can tell you. Don't ask somebody who's in Portland. I can tell you what I miss—I miss take-out. I mean, I miss lots of things, but I think understanding what there is for draws in rural Maine is the first step, and not just for attorneys. We're short on accountants, nurses, doctors, you name it. If you want a good life and you want to buy a house for under \$100,000 that's five bedrooms with acres of land, come to Fort Kent. You can do my job there, too. We've got plenty of room.

MODERATOR: Toby, I want to take a minute and ask Adam to also identify some of the structural challenges both that being a lawyer in rural Maine has, but also maybe what the structural challenges residents and potential clients have accessing justice in rural areas.

MR. SWANSON: So my office is in Presque Isle, and I travel through the entire county to all of the county courthouses, but also even outside of the county, to Skowhegan, to Bangor, as far as Augusta for cases.

Toby hit the nail on the head where he says there's plenty of room, and what that means is that we could use more attorneys, and that creates a problem for people that require legal help because maybe everyone has a conflict. Maybe they don't have

the ability to travel an hour or sometimes two hours to meet with an attorney, so if you have someone that's in Fort Kent, and Toby's the only attorney there, and Toby has a conflict, and so they go next to Caribou and Presque Isle. Well, someone's consulted with all of the attorneys in Caribou and Presque Isle, so now this person in Fort Kent is left with looking for an attorney in Houlton, which is about a two-and-a-half-hour drive. That's like me driving to Bangor.

Sarah said, you know, people think that if they hired outside of these rural communities, they're going to get better representation. I disagree with that. I also disagree with the notion that if you privately pay for an attorney versus a court-appointed attorney, at least in Aroostook County, with the lawyers I practice with, that you're going to get better representation. But there are so few attorneys, and the demand is so high and the supply is so low, that—and Judge Nelson spoke about this earlier, there are many attorneys that don't even take court appointments, and the majority of people that are coming through the courts require court-appointed counsel, whether it be for a protective custody case or a criminal case.

And so now we're left with so few court-appointed attorneys that maybe they're conflicted out, and I've seen appointments from attorneys in Bangor because people say well, why would I take a court-appointment where I can't meet my overhead if I've got enough supply coming in because the demand is so good. And, so, one of the greater issues for access to justice, in my opinion, is that we don't have enough attorneys to meet that need.

MODERATOR: Thank you. I'd like now to shift the conversation. I think we have the context. I'd like to shift the conversation now to what might be some possible solutions, and I think Adam, and I know the judge has commented on the lack of actual attorneys.

So in preparing for this today, I am a pro bono; I mean, I'm a legal aid attorney, and I looked at legal aid resources and looked up what legal aid programs were doing in other parts of the country, and so I'd like to take about two minutes or less to review some of the observations that I've seen and then ask the panel whether or not any of these lessons that were learned in the legal aid community might have applicability in the rural areas of our state, even for private for-fee practitioners.

So—and I'll just go through these fairly quickly. So one of the issues of legal in rural areas that were—one of the challenges, rather, in rural areas identified by legal aid providers was the absence of understanding or knowledge by the community of what constitutes a legal issue that could be resolved by access to a lawyer or utilization of a lawyer. And to address that, there were—there was an effort doing a lot more self-help style clinic efforts, and those clinics weren't bodies, but they were rather dissemination of information on the Internet, through libraries, community centers, local schools. Other efforts included, in order to get bodies into rural areas and provide legal assistance or access to legal services, the use of a mobile clinic. A van is literally outfitted like an office and could be driven around. And in talking with one of our legal aid providers here today, I understood that their program actually considered doing that for northern Maine, to serve the New American community.

There were some concerns by private practitioners, the solo practitioners in rural areas, that they'd had only limited access to continuing their legal education credits,

and so there were best practice seminars created by judges to meet that need for the local community—local practitioners so that they wouldn't have to drive three, four, five hours in order to attend a live CLE.

There was also peer training; lawyers from urban areas where there was higher concentrations of expertise in certain specific practices would team up with less experienced, or with attorneys not yet experienced enough to clearly practice, and there was a peer-to-peer training model. There has been a library liaison project, utilization of libraries, and the librarians themselves to help—who are trained by lawyers—to help issue spot problems that the community may have and then help that person connect with a lawyer, either locally or remotely, who has an expertise in the type of problem, or bring a lawyer on to simply talk to the client by telephone to help them identify the issue if the librarian couldn't figure out how best to serve.

Another model was to use—utilize local colleges and community colleges, so universities and community colleges, and use the students to locally train them and provide them some supervision and structure remotely to help provide direct contact—be the direct contact with the client in a rural community setting who hasn't had direct access to the lawyer, and then help that person connect with a lawyer, provide the documents, make the copies, collect the information, and then help deliver it to the attorney, almost acting a paralegal.

And then there was, lastly, the one that struck me was a Skype clinic. This model was used in—originated in 2003, and that was the technology available then, but, obviously, Skype is a video technology that allows direct contact via a link to an attorney, and they could talk with the attorney remotely.

So those are some of the models that have been used around the country by legal services programs, and some of them strike me as having potential viability or could add to access for justice even for folks who aren't low enough income to qualify for legal aid or can't access legal aid, a lawyer because of remote issues.

So I want to ask the panel, if we could, I'm going to start with the Skype clinic idea and use of remote—technology to access people remotely. Is there—does that provide an opportunity for us to increase our presence as lawyers in rural areas? When we think that there's a movement towards telemedicine, use of digital video for things as complicated as operations, is there a way of using that Skype clinic model in our rural areas to help increase access for your clients to you, but also clients to lawyers at Eaton Peabody or Verrill Dana, let's say. Adam, could we start with you?

MR. SWANSON: So we use a program called Zoom, which allows us to communicate with clients or other attorneys, but they have to have the Internet, and they have to have—somehow, you have to get them the passcode and the telephone number to join.

The courts in Aroostook County are great about using the ITV function. So, yesterday, for example, I had a misdemeanor arraignment, and the client also had some felony charges, being held at the jail, and we had a bail hearing. He was in Houlton, I was in Caribou with the judge and the prosecutor, and then we were able to bring his mother in on a separate feed to interview her as a proposed custodian. She was at the Houlton court. So now we have three feeds in different locations and we were able to get him out on jail Friday, which may not have been until the end of

next week if we were traveling and trying to get everyone in the same location, and so that's been a big help.

There could be a need, or I think there is a need for us to be able to communicate with clients that are an hour and a half away because they don't have—often don't have transportation to come see us, or we may need to speak to someone the day before a hearing and they're an hour away and it's now six o'clock at night. That example isn't as good for where I'm going, but what I'd like to see, or what I think would be helpful is if people could go to some location where they would be—it would be private. If the courthouse had a room that you could arrange with the clerk and say I need for this room to be available on such and such a date and such and such a time. Your client maybe could walk to that court, and now you communicate with them face-to-face over the computer and explain to them what's going to happen the next day or the next week, or maybe there's a plea offer that's been made that you need to get back to the prosecutor on.

Travel, I can't tell you how many times I'm at the court and the judge calls my case, and I haven't seen my client and now I'm texting someone at my office and they say they don't have transportation. We don't have a great public transportation system up there. We have none. And so for people without rides, they're looking weeks in advance, and sometimes they're not getting the notice report until a few days beforehand. And so having some way to communicate with them via video would be pretty good.

MODERATOR: Is there anybody else on the panel who would like to opine on the use of something like a Skype clinic or use of that technology? Judge, please.

JUDGE STITHAM: I think there's a difference between access to process and access to justice. And there's so much process that the courts deal with, and if we're lucky, sometimes everyone leaves the courtroom and believes that justice has been done. And a lot of that is sort of the connection. There's nothing that ever will replace the courtroom. You have everybody there and everyone is—all your senses are engaged.

I know, for example, like in Bangor, they do the criminal arraignments, and it's by video. And so you've got a situation where the judge is here, and you've got your screen, and then there are two defense counsels and the DAs are over there in the jail, and it all takes place over the video, and the process works. The sheriff's department doesn't have to worry about transportation, and it's much more, quote, efficient and economical. There's something kind of missing there with regard to that.

Now, I know that when lawyers, or when mediation first came in and the lawyers said geez, you know, if I can't settle the case with my good friend here, how can a mediator settle it. And it turned out we were wrong as lawyers. The mediators actually did a lot, and now, in remote courts, Millinocket, Lincoln, they're doing mediation with the computer.

So they come to Lincoln and they've got the screen there, and the mediator's somewhere down in Portland, and I was talking to the lawyers recently about that, and it works very well, and they're getting—it's not just the process, it's not just saving the transportation, but they're able to make that connection where I think when

people leave, it's not that the process was facilitated, but I got justice. There was a connection, they solved the case, and they did that.

I remember I was in Dover one time, two people showed up in Millinocket at the wrong court, and I said well—they were both pro se—let's just do the trial. So I actually had a trial; they were up in Millinocket and I was in Dover. And again, you had the process, but sometimes, if you're lucky, you can also have justice. And I think—the technology is fine and it saves them transportation, and when you can do that and still they can get justice, then they get access to process, and I think most importantly, justice, so it does work. And you're going to get even more of that just as the reality in terms of, it's an efficient use of judicial resources, takes care of transportation and so forth.

MS. GILBERT: Can I actually comment on that as well?

MODERATOR: Please, Sarah.

MS. GILBERT: In terms of keeping clients' expenses down, too, for purposes of, again, family law representation, it would be helpful if courts could be more lax, and I understand the constraints, but more lax in allowing telephonic participation by attorneys. In most instances, it still requires a formal writing of some type to be filed with the clerk, you know, at least twenty-four hours in advance to be able to call in, for example, to a pretrial conference or some other event. And so if we could facilitate making that easier for lawyers, I think that that would open up an attorney's ability to charge less and to move the client's case along in an economical way.

And then just to—the flip side of the technology, you know, being utilized to access justice is I will say that in contested cases and hearings, it is very frustrating for a litigator to have the other party pro se, let's say, be permitted to call in telephonically at the last minute and provide testimony over the phone, and I understand the judges' positions in those cases, but the flip side, at least with just a telephone, without having a flat screen in a courtroom where that person has been sworn in and you can see where they're sitting, you can see who else might be in the room with them, for example, if it's just a telephonic participation where there's sworn testimony being provided, it really limits the—not only the court's ability, but also the other litigant's ability to assess credibility in any meaningful way. So that would be a major problem with just telephonic participation.

I know that courthouses are—have gone to great lengths to provide televisions, again, in all of the new courthouses, for example, and I think that that's probably—if people can testify in sort of secure environments, you know, over a video, I think that would go a long way to alleviating some of these concerns that we have with people just calling in to protection from abuse hearings, for example, and giving some testimony over the phone.

MODERATOR: Thank you, Sarah. Toby, do you have any comments on that?

MR. JANDREAU: I think if we use technology in the absence of no contact at all, I think it's great. If we're using technology to supplant actual contact, I think it's a trap.

If you have an alternative—if you can meet with somebody, you should meet with somebody. You can tell a lot about somebody about how they move, and you can't—it's just not the same. But if the alternative is you don't see them at all, then I think it's OK.

MR. SWANSON: I think we shouldn't rely on technology. Use it when you can't be there in person, but I think it's best to be there in person. I think it's good for your client to be there and to have you there to, you know, answer their questions that they may be whispering to you or something. If you're via phone or video and your client is in the courtroom alone and their opposing party's attorney is with them, I don't like doing that. I like to be there in attendance. So we shouldn't rely on technology, but it's nice to have it when you need it. I don't like it for testimonial hearings, I don't. I personally don't like it for arraignments if there's going to be—if a guilty plea is entered.

I've had some PCRs on those where we've had pleas overturned, and it was the judge that came in and said I don't think I should have done this. You know this person, you've worked with them, ask you to look into it, and sure enough, it shouldn't have happened, and I think had that person been there before the judge that day, he wouldn't have accepted the plea. So we don't want to get to a point where we rely on the technology and that's all what we use, but it's nice to have it in rural communities to at least be able to speak to your clients when you otherwise wouldn't be able to.

MODERATOR: I think I want to take this concept one step—a little further and ask, do you think that knowing the rural practice the way you all do and having, I think, some consensus that there's not enough lawyers physically in these regions to take and serve all the need, do you think there's a practical ability of a young associate in southern Maine, in the Portland area, and maybe even in the Bangor area, ability to practice using remote technology for purposes of client outreach, client contact, client communication, even if they've got to do the five-hour drive to Fort Kent to be the trial litigator?

MR. JANDREAU: I wouldn't want to be them.

MODERATOR: Would you elaborate on that?

MR. JANDREAU: I rely very heavily on my—the other lawyers we practice with and reading the scene; walking in and seeing how Adam walks in when he walks in the court. Does he look like he thinks he's going to win today? Getting a peek at what the judge had for breakfast to see what kind of thing we're dealing with, and sometimes your client, just the way that they hold themselves, I mean, I think— So much of our communication is nonverbal. I think if we break it down to just saying you're talking to this electric box and somebody on the other end will hear you? Great. Unfortunately, that's not how humans communicate. I think we miss a lot, and I think as lawyers, we underestimate the importance of human connection in what we do.

We don't just— If it was just laws, I mean, they're all in the book, it's easy,

okay? But you have to take a person who's probably hurt, and you have to process their pain and find a legal remedy for it that was constructed by some guy in—or woman in Augusta who wasn't contemplating your client when they wrote that statute.

There's a human component there that I think—and when we look to—and when we're dealing with this, we're in rural Maine, for everything, not just lawyers—when we look to try to patch the hole in something, we need to be careful not to patch it with something that's worse than nothing. And I think if you're not connecting with people in a meaningful way, you're not being an attorney, you're just a library, a warm library.

MODERATOR: Toby, if I could ask to balance those comments, which are very pointed, or contrast them with the—no, no, it's a great critique of the use of technology, but Judge Stitham's comment about having a week in court with no lawyer, Your Honor, would a lawyer practicing remotely using technology to build—to have a client relationship and then participate in your court remotely do anything to help solve that week absence of lawyers in your courtroom?

JUDGE STITHAM: I've reached the point in my life where I have a 39-year-old daughter, and I'm known as Stacy Stitham's dad, and I think you're not wrong because my name's been mispronounced twice so far.

MODERATOR: My apologies.

JUDGE STITHAM: I got used to that a long time ago. It is a human connection. I think I know what you're talking about. And, I mean, in 1822, James Holmes graduated from Brown University, and that's a big city. And Portland was much bigger than Foxcroft, and Bangor was much bigger than Foxcroft. Foxcroft had just been incorporated in 1812, and he came as essentially the first attorney in Piscataquis County, to Foxcroft. And he hung out his shingle as the only attorney in Piscataquis County. Actually, there was one in Sebec, but he was there for two months and then he left.

But, in any event, so he came there and he was starting his practice, and he thought you know what would be good, if this community had a school, so he took in some students and taught them, and he was hoping that that would build an interest in there being a high school, and it did. And then in 1823, he was one of the original incorporators, and he petitioned the legislature and said we want to start Foxcroft Academy, and that happened in 1823, and he was an original incorporator. He was the first secretary. He was one of the first trustees, and he was the first headmaster, and that was for the first—the spring term of 1823. And then, he continued, stayed at Foxcroft for like the next fifty years. He was a trustee until he died. He went to every single oral examination until, as the historians say, he became too feeble. But the point is he was part of the community, that human connection that you talked about, and he came to Foxcroft, and he was one of the founding lawyers, and he had a hell of a law practice, and he helped establish Foxcroft Academy, which still exists today.

And so I don't think that works in terms of well, let's just—we can set this up

electronically, etc., the question is what— Dover-Foxcroft is Dover-Foxcroft. Guilford is Guilford. Milo is Milo. It's still there. It hasn't changed that much. It just requires somebody that says, I want to be part of the community. There are some people that say, hey, I want to be in Portland where I'm just a lawyer when I'm at the office. If you're going to be in one of these communities, you're a lawyer 24/7. My dad was a doctor 24/7. That was Doc Stitham. That was Judge Williams. And the question is do you want to be part of the community? Do you want to have a human connection with your clients? Do you want to help people? And maybe you'll get paid.

But the reality is, the only reason there's not a lawyer in Milo is nobody wants to go there, but that doesn't mean there isn't one who wants to come there, that doesn't mean there isn't one that says, I want to be part of the community. We have a situation where people who are born and raised in Millinocket, they don't come back to Millinocket as lawyers. They know what's there, and they choose not to. Two very good attorneys came out of Greenville in the '70s. They didn't practice there. They didn't come back. So I don't think—there's not enough money there that you can do it, you know, technologically. It is the human connection, and you're going to have to be there. You're going to have to be there because you want to be there and because you can buy a house with five bedrooms, you know, for under \$100,000 dollars, or whatever it is. But the question is, it's there, and you're going to have to have that human connection. You're going to have to want to be part of the community, and you've got to want to be a lawyer 24/7 in Milo, Maine, because you aren't going to be—it's not going to be 9 to 5, or 9 to 4:30.

MODERATOR: Sarah, you're nodding. Do you want to comment?

MS. GILBERT: All I wanted to say is there are some areas of the law where this is already being done and being done pretty visibly, and the one that jumps out to me is, of course, personal injury work where you have satellite offices for some of the Portland outfits or Bangor outfits popping up all over in little Main Street office spaces, and they're not actually staffed often. They're a phone number with a sign. And I guess I'm not going to weigh in on whether those help or hurt the rural communities, but I just wanted to point out that there are quite a few areas of the law, kind of lucrative areas of the law, where the Portland net is actually cast quite wide, and I question, perhaps, how that affects the local bar's ability to take on those types of cases where—or have those types of cases walk in your door and make the rural practice as, you know— It is happening, I can say that.

MODERATOR: And in saying that, it sounds like it's happening a lot. Is it really a lot, or is it, you know—

MS. GILBERT: Oh, I think it is, I think it is. You do see satellite offices in highly lucrative areas of the law that are oftentimes under-staffed or not staffed at all with any attorneys in rural communities across Maine.

MODERATOR: Can you just identify for us, if you know, those lucrative areas? You mentioned personal injury. There will be some folks here ready to go.

MS. GILBERT: Well, I would say personal injury is the most visible, but I think that in addition to that model, I mean, clearly, we're in an era now where you have LegalZoom, and you have at least some appetite for rural communities or rural business owners and whatnot to be able to access the legal work that they want through some sort of vessel on the Internet that connects you to some other lawyer maybe even in another state to provide those services. So there are certain areas where it's already happening, I think.

MODERATOR: And I guess I'd like to stay with that theme just a little bit and ask the panel, so among the programs that I just reviewed, some of them include exactly that, sort of periodic presence as opposed to the full-time lawyer presence. And it sounds like that is beginning to get some standing, and the periodic presence would be the lawyer has a cooperative agreement with some office, goes once a month or once every two weeks and spends the day there to meet the client to do the hearing. Is that an effective way of getting lawyers to provide legal services in areas where more lawyers are needed?

MR. JANDREAU: I think as we have—I mean, personal injury, when I first started practicing, was something that I thought I would do. I don't anymore because it's just too expensive. The insurance company will always have more money than me, and they can make my life miserable, and that's a function of our system being broken. They can drag me down in depositions for weeks, months. They can make it so I can't make my monthly rent. And they know that, and that's how they're geared towards—that's our problem in the state, and that's not a problem we're going to solve here today, and I don't think necessarily shines a light on what we're doing most of the time in rural Maine. Most of what we do isn't this personal injury stuff.

I mean, people from Portland have been coming to get the cream off the top forever. That's just how it goes, but that's not the issue. What we're dealing with is somebody coming in and saying, you know, my daughter's got this issue, my—you know, the real problems. Personal injury is personal injury. I think most people have stopped doing it in rural Maine because it's just become too expensive so they don't practice. We just can't do it. But everything else we're doing, and it's often mixed questions of criminal or family. You get the trifecta, you know, the PFA, the divorce, and the DV assault. It's the perfect trifecta for a client right there. You get all three.

MS. GILBERT: Within a week, right?

MR. JANDREAU: No, it's the same incident. So while I think we're going to see these pirates coming in, we can't touch that stuff. They're not going to want to get their hands dirty doing a will for somebody who's got nothing.

JUDGE STITHAM: My concern, of course, isn't geez, is someone going to represent us on this personal injury, it's, as he [Mr. Jandreau] points out, can someone please help this person who wants to have the child live with them, who wants to have visitation, who is the defendant in a PFA or the plaintiff in the PFA. Can

somebody help them? And I'm pretty sure Portland isn't going to be sending someone up to handle that, so in terms of access to justice through the courts, in terms what the court says, we're not sitting around as judges and saying boy, I wish that person had a lawyer in that personal injury suit, because that's much more—for God's sakes, can't somebody help them prepare their case and call witnesses and do such and such. And I think the sad part when Husson wasn't going to be able—wasn't allowed to have its law school was that I think that that could have provided, you know, education for people in place who are committed to the geographical areas, that would have—had they become a lawyer, would have been likely to show up in Millinocket or Newport, or maybe up in Milo.¹

I mean, and again, in terms of the court's business, it goes so much better when they have lawyers, somebody that can help them prepare their case and present their side so they get heard. And fundamentally, access to justice is being able to be heard, being able to be heard by the people that have to make the decision at the end of the day. They have things they want to say, they just have to be helped in how they say it.

MODERATOR: Adam, did you have anything to add?

MR. SWANSON: I see a lot of protection from abuse, and so many of those cases could be resolved and could have a clean hearing if there were advocates on both sides, but we don't have that. In Lewiston, there's an organization . . . , and they work with the clinic, or at least they used to, and they would at least be able to give a student attorney on one side, and that student attorney may help resolve the case.

There's an organization in Aroostook County that has tried to do the same thing, but you're not automatically assigned an attorney; you'll have an advocate there that can't practice law. But that's where I see a lot of pro se litigants. Also in the small claims realm where there's the required mediation and oftentimes it gets resolved because people get to do just what Judge Stitham said, they want to be heard, and they get to be heard, and after they're heard, they're willing to listen to try to resolve it.

But there's backups in the courts which lead to not being able to have expedited hearings. A lot of the time, I think because of the need for hearings for pro se litigants [indecipherable]. I don't know how to solve that.

MR. JANDREAU: I wish we had more—Aroostook County could use another judge; not a different one, another one. And I think, you know, in Fort Kent, we're blessed with a really awesome clerk, Linda Cyr, who is absolutely amazing. When there's problems, people go to her and they say, Linda—because they're going for justice. They're going into a courtroom, they're going to a courthouse, Linda meets them and says these are the forms you can use. I can't help you with this, but Toby's down the road, or if she's in Caribou, there's a lawyer there. And she makes it okay for them, and I think the courts are in a position where they could—if they could put more money into courts, our rural courts to get a little more support for our judges

¹ See *In re Petition of Husson Univ. Sch. of Law*, 2010 ME 16, 989 A.2d 754 (per curiam); *In re Petition of Husson Coll. Sch. of Law*, No. SJIC-242, 2008 Me. LEXIS 93 (June 3, 2008).

and our clerks because they're swamped, they're absolutely swamped. Since we've done the UCD in our Aroostook County, our district court judges don't have time for anything because everything that used to go to the superior court, now we're going to spend all day in district court doing them. And I know the judges won't say it (I'm not a judge so I can say whatever I want) but it's a waste of time, it's a waste of time.

And they're not doing family matters anymore. They're not doing DV assaults—not DV assaults, PFAs. We're using a lot of resources on the UCD, which I know needs to be done, but it shifted it from the superior court to the district court. It was just a burden shift. We're not doing any more work, we're just putting it on the lower court.

MODERATOR: A couple observations I'd like to make is—one is there seems to be a general consensus that one of the problems is the young people are leaving and not coming back; there's this exodus. That might be stopped by educating in place, having a local education system that supports folks staying and then gives access to professional opportunities, such as a Husson Law School or something like that that would educate the folks already committed.

Let me ask, when we take those two observations, California, at one point, had what they call, and I don't know if they do or not, a mini bar where you could take a—have a college degree with a short period of law school and then practice under the guidance of a lawyer, and then sit for the bar exam. Would something like that go some distance to helping to meet the needs of avoiding exodus, allowing professional opportunity and growth in place and education in place that might increase the number of lawyers in Maine?

JUDGE STITHAM: One of the most shocking incidents in legal history in the 20th century was around—Don [Alexander] might know the exact date, but I think it was maybe 1977 when a shocking publication came out on—you could buy it at Mr. Paperback, and it was published by Pine Tree Legal, and it was *How to Do Your Own Divorce in Maine*, and the bar was outraged: this is the unauthorized practice of law! This is doom for the whole system. And I was talking to my senior partner once, Stu Hayes, and he said well, you know, the Maine Bar Association doesn't really want to define what law is because if they leave something out and it's not inclusive enough, then, you know, it's lifting up the tent[flap], so to speak.

The reality is if you took—if you said, in any school system, any town that has a school a law school, I don't mean if there's a court in that town, I just meant a school in that town, just say that twenty-five percent of the teachers are really good. Can you make a lesson plan? Can you teach a class? Because if you can do that, then you can help out these people who are pro ses in terms of the FMs [family matter cases], in terms of the small claims, etc., because it's not—if you leave out the Rules of Evidence for the moment and just say if you can put together a lesson plan, if you can teach a class, then you can assist these people far better than they're being served; than they are presently now, which is just you're representing yourself and if it's not small claims, you have Rules of Evidence, and if you've got a lawyer on the other side, it's not two pro ses, then, you know, you're going to have to be able to respond to objections.

So the answer is yes, that would go far towards filling a need out there that's not

being met by the bar for whatever reason. And again, it comes back to Oscar Wilde saying all professions are conspiracies against the laity. So the point is yes, that would help people because you'd have humans dealing—people that could do the job, that could help them organize their case call for witnesses and present something coherent to the court where they're going heard and they're being helped at being heard.

MS. GILBERT: I don't know, is the law school involved in any way in the high school mock trial competitions? Is there any relationship, do you know? Okay. Because I will say that a healthy mock trial team at a high school can make a big difference in people's lives; not only in terms of exposing students to the court system, but having a mentor relationship with an attorney coach who comes to the high school and works with the team. That's no small thing to folks who are considering opportunities and career paths and whatnot. I think, isn't Kim Kardashian sitting for the bar, too?

DEAN CONWAY: That's not true.

MS. GILBERT: She's not? [Laughter]

DEAN CONWAY: One of the things we have to really understand is that all of these things take money. Okay? So—but let's not joke about it because what you're saying is, if we can get people on the ground to help, then let's help. I don't care if it's Kim Kardashian or Neil DeGrasse Tyson. I mean, let's get the help in here, but don't think that this doesn't cost money. Don't think that this doesn't cost time, and when you don't have the support of your state and you don't have the support of your donor, don't think that a faculty of 17 people can cover all of that. Don't think that—and I only raise my voice because it's my birthday. [Laughter]

The other thing is, you know, to answer on the spot, is the law school involved: hell yeah! But can we cover high school mock trial, can we cover reading at Lyseth to the third graders² so we can get over the education gap. Can we cover the Cumberland Legal Aid Clinic and make sure that their student attorneys get into the sixteen counties in Maine to do the kind of work that we should be doing so that we can have an impact. Do we need another law school that the state doesn't support? That's the question. So let's ask the right questions first. Let's not joke about what people don't have access to, because you're right, I would take help from somebody, anybody, if I got nothing.

MODERATOR: Thank you, Dean Conway. So we're about—we're at two o'clock. We have about fifteen minutes left. I'm happy to continue the conversation with the panel, but I would really like anyone here who would like to share ideas that they might have about improving access to justice, whether it's pro bono services or for-fee services in our rural communities and serving our courts, to please share your ideas with us. If you have questions for the panel, please ask those and feel free to interrupt as we continue our conversation, okay? Is there already somebody with a

2. The Law School participates in a literacy program at Lyseth Elementary School in Portland.

hand?

AUDIENCE MEMBER: So I'm lucky enough to be one of the rural fellows, and that program is not funded any longer after this summer, and so we want bodies in these rural communities, and as Toby said, you know, we're pushing everybody out of these rural communities and there's not a path to come back. So how are we getting these bodies up there, because I know it's very difficult to get people who are in law school now to somehow afford the rent where they are now, but then also come to these rural communities to try to see if they like it, see if it's something they want to do and make their life there, but we still have to live in Portland for three years to figure that part of it out. So I'm just wondering, what is your suggestion on people that want to go these communities to see if they like it, but they can't do it for free.

MODERATOR: Before the panel answers the question, before you give up your mic, could you just go ahead and describe the program, the fellowship?

AUDIENCE MEMBER: So, basically, I've been—last year, I did it with Bemis & Rossignol in Presque Isle; I'm going to be going there again this summer. And I spent all of my time just kind of—basically like Ryan said, you just learn so much from the program. I learned so much more than I did my first year. I came back for my second year, and I felt like I had a better understanding of what I was doing and why I was in law school. It is, it's a great mentorship program, and it's invaluable, honestly.

MODERATOR: Does anyone on the panel want to comment on borrowing that idea?

MR. SWANSON: I would say to ask, find a community that you want to go to and start kicking some stones. You might be surprised if you said to some of the attorneys, you know, I'm thinking about coming here, I want to see what it's like, and these are the courses that I've had. I'll come on and I'll intern for you. We have an attorney in Presque Isle, and she houses people to work with her for the summers. They have free housing while they're working for her.

I hosted someone; he lived in my house for six months, and so he chipped in on some of the rent. But I think if you ask, and like Toby and I have both said, there's a shortage of attorneys, and so those attorneys that want to grow their practice, they're thinking I want to hire someone but no one's coming. And if you show an interest as to living there, you might be surprised at the response you get. Maybe they'll pay you, maybe they'll give you a place to stay. You know, I have had—well, Cassie Rodgers, she works for me, and she came up every summer and was paid to be there doing it, but I knew that she intended to come live there and work. And so knowing that the person's interested and looking at that as an investment rather than a cost, you do have better luck, going to be able to get paid while they were there.

MODERATOR: We have a question over here. Oh, great.

MR. ROBITZEK: I have just a couple things. One is I think the rule has now been changed, Justice Alexander, and you correct me, but I think that Maine is the only state in the United States where you only have to go to two years of law school in order to become licensed.³ I think you do have to spend a third year doing some practice, but that puts Maine in somewhat of a unique position to have perhaps the law school work with rural law firms to set up a third-year practicum, and that may also have an impact in terms of getting out of school debt that law students take on.

The second thing is about the fellowship program.⁴ I—so I'm former president of the Justice Foundation, and we funded the three-year pilot program, which is now—this is the last year of it. I was astounded that students are paid \$6,000, only \$6,000, and are willing to take on internships. Apparently, that's the going rate, \$6,000. Maybe 2Ls get \$7,500, so the total cost of this program, to continue on past the pilot phase, is \$27,000 a year, which is—that puts four students out into the rural community. I think that's probably the best investment the state of Maine can make in terms of increasing the number of people who are interested in and will continue practicing in rural Maine.

THE MODERATOR: Thank you, Bill.

AUDIENCE MEMBER: Hi. I understand we have this group of lawyers that collectively take care of running the country; I think they're called Congress, and Congress, a while back, realized that there is a paucity of medical care in rural communities, and they were able to get their collective heads around that and well, we'll entice medical students, these young doctors into these communities by giving offsets on student loans, which is very important to somebody in a profession just starting out. Now, I don't know if these lawyers in Congress will ever be able to conjugate that justice is as important as medical care. I guess the question might best go to the dean, are you aware of any efforts to lobby Congress to adopt an idea like this where there could be a quid pro quo for the cost of education and force them to then go to Fort Kent and practice with Toby or Adam, and if not, isn't the political environment now right with 21, and I say this with a brave heart, 21 democratic socialists running for president of the United States, maybe if this idea has any merit and hasn't been tried, maybe this is the time.

DEAN CONWAY: Every year, every year, your students at the University of Maine School of Law get together with their colleagues from around the nation, and they go to Congress and say for God sakes, public service loan forgiveness, please support it. And I do look—thank you—it's like a softball question because I get up

³ M. Bar Admission R. 10(b)(5) provides that a Maine bar applicant may satisfy the educational qualification requirement by completing “two-thirds of the requirements for graduation from a [ABA-accredited] law school . . . and then within 12 months following such successful completion pursu[ing] the study of law in the law office of an attorney in the active practice of law in the State of Maine continuously on a full-time basis for at least one year,” so long as the Board of Bar Examiners approves the proposed course of study in advance.

⁴ See Noel K. Gallagher, *Maine School Moves to Reverse Shortage of Rural Lawyers*, PORTLAND PRESS HERALD (Oct. 22, 2017), www.pressherald.com/2017/10/22/maine-school-moves-to-reverse-shortage-of-rural-lawyers [perma.cc/SUL4-3PDX].

there and reach for it because every year we go up there, and you know what we hear? You lawyers get paid too much money. You lawyers are rich.

AUDIENCE MEMBER: There are rich lawyers.

DEAN CONWAY: Yeah, the ones up there.

AUDIENCE MEMBER: Yeah.

DEAN CONWAY: And in D.C., you're rich. And our fellow man and woman does not see why you should have public service loan forgiveness. Now, let's bring it home to Maine. Okay? So don't think that I'm not in people's offices and in their face saying I'm the dean at your University of Maine School of Law, and these young people are saddled with, on average, and ours is low, \$94,000 of debt coming out of your law school.⁵

And so I say how are we going to get them up to the 14 counties outside of Cumberland and York when they're running around with just law school debt of \$94,000 and we tell them if they didn't go to a certain school, undergrad and law school, they're not going to get a job. How do we do that? So you can tell by my posture that I'm up there saying just this to them and that I'm in Augusta saying this, there, and then I'm up in Bangor talking to the people who run the system. What do you expect us to do, because we are there arguing exactly what you're saying.

JUSTICE ALEXANDER: May I make an observation? Really is the dean cranked up? Beyond the, you know, debt relief option: the person who comes and takes care of my horse, there's a federal program for debt relief. There's a debt relief program for veterinarians to do so-called large animal work. So the person helping out, you know, a protection from abuse or something like that, they can't get it, but the person who comes to take care of my horse can. A federal program, I think between a couple of federal programs. There was an article in the Bangor Daily News about five years ago, they give about \$50,000 in debt relief for taking care of horses and cows.⁶ Okay?

MODERATOR: Thank you for that, both Dean Conway and Justice Alexander. We do have another question up in the back, and then after this question, what I think I'd like to do is just take a minute or two and summarize a little bit of some of the observations we've now shared, and then we're going to call it a day for ourselves. Yes.

AUDIENCE MEMBER: Thank you. My background is in public health, and part of the reason why I came today was I just wanted to listen in because, in my career in Maine, I've done a lot of work in supporting the building of what they call

⁵ U.S. NEWS & WORLD REPORT, *Grad Debt: University of Maine*, www.usnews.com/best-graduate-schools/top-law-schools/grad-debt-rankings?name=maine (last visited June 14, 2019).

⁶ Bill Trotter, *Farmers, Large Animal Veterinarians Struggling with High Costs*, BANGOR DAILY NEWS (May 30, 2014), bangordailynews.com/2014/05/30/news/lewiston-auburn/farm-economics-pose-challenge-as-large-animal-veterinarians-grow-scarcer-in-maine [perma.cc/EA2M-GNH7].

healthy communities. There are also a whole bunch of wonderful people who are working on livable communities, and I'm wondering whether part of the thinking work about how to move forward is to not create another silo of wonderful people doing advocacy for a particular issue without having more intersectionality.

I would love to see a rural justice Maine group talk to, for example, the livable communities movement, which is creating living in place communities across Maine where people can age in place.⁷ Who would be interested in having a lawyer? Maybe aging people who have need for lawyers as well. So I think there may be—I think from the beginning, it might be interesting to do some thinking about partnerships and collaboration.

For me, this is the first time I have actually somehow zoned in on the fact that there's such a lack of lawyers in Maine. I honestly never thought of something. Know that as I move forward in my work, I will mention that. I will drop that into conversations, and I'd like to know who the stakeholders are who are concerned about legal services. Are some of the nonprofits who are doing some work like domestic violence, do they all talk about it? I don't know.

So my thought is in moving forward, the core work needs to be done, but I think that maybe a wider source of stakeholders who might become invested and to not have this be such a silo issue.

MODERATOR: Thank you for that. And I might note, in my efforts to try to figure out what's going on with the country, I ran across a number of articles in which it became clear that the medical profession is experiencing this similar crisis in delivering in our rural areas with an increasing number of rural hospitals and health clinics closing. It does seem like a collaboration. We have similar problems, and we have an opportunity to collaborate to bring them to everyone's attention.

So we just have a few more minutes left, and if I could just ask each panelist just to take, you know, five, ten, 15 seconds and summarize maybe your favorite idea or something you're going to take back and think about on how we can improve access to legal services and justice in your community. Toby, would you start? Do you have an observation?

MR. JANDREAU: It's an observation that I've made generally in my community, and that's you can't wait for somebody to save you. We're Catholic, we've got a hang-up with waiting for people to save us. You can't wait, you've just got to do it yourself. You can't wait for government structures to come in because they won't.

We are uniquely positioned, as attorneys, to undermine power. Nobody's going to give us the keys. I mean, they knew—they continually tried to do it with Pine Tree Legal. I mean, we need to be assertive, and we need to not wait for the people with the money to save us, and that means going into the community and maybe eating a little dirt for a couple years, not making as much money. But if it's important for you to do the work, get off your ass and do the work.

⁷ See Patricia Oh, *The Age-Friendly Community Movement in Maine*, ME. POL'Y REV., Sept. 2015, at 56, digitalcommons.library.umaine.edu/cgi/viewcontent.cgi?article=1708&context=mpr [perma.cc/8BT6-Z9V7].

MODERATOR: Thank you, Toby. Sarah?

MS. GILBERT: Actually, the thing that's going to stick with me the most is something that was actually just recently said. Apparently, there's a lack of awareness outside the legal community that this is a problem, and I think I do tend to live in my little (I think she says legal bubble, not little) bubble with my legal colleagues a bit much, and I think I will take away from this the fact that this may not be a known problem and, you know, in my nonlegal circles and my interactions with my community, this is something that needs to get talked about outside of CLEs.

MODERATOR: Thank you, Sarah. Judge Stitham?

JUDGE STITHAM: I think that, keeping in mind what Toby said, if you want to come to Lincoln, Maine and call Pat Locke, she's 63, she'd love to have someone come in and take over a practice. You want to come to Milo, come to Milo. I mean, you have to go, as Toby says, just go. But they're there, there's people in need. It hasn't changed that much. You know, it's two days' [unclear] when I came back to Piscataquis, you're not going to get rich in Piscataquis County, but it's a pretty good life, and that's true in Fort Kent, it's true in Milo, true in Guilford, true in—but you have to go.

MODERATOR: Thank you, Your Honor. Adam?

MR. SWANSON: I think it's about changing perception, changing the perception that people have about these rural communities. They're great places to live, and for those of us practicing law, we're spending more time working than doing anything else, and it's a great place to work.

JUDGE STITHAM: And Presque Isle is a city, it's not rural Maine.

MS. GILBERT: So is Eastport.

MODERATOR: Now we're out of time. And perhaps what we'll have an opportunity to do, Hannah, is to maybe summarize some of the observations, comments, and ideas and share those with those who have attended. Thank you very much, everybody.