

## State of Maine Procurement Justification Form

This form must accompany all contract requests and sole source requisitions (RQS) over \$5,000 submitted to the Division of Procurement Services.

INSTRUCTIONS: Please provide the requested information in the white spaces below. All responses (except signatures) must be typed; no hand-written forms will be accepted. See the guidance document posted with this form on the Division of Procurement Services website (Forms page) for additional instructions.

Department Office/Division/Program:		Maine Judicial Branch, Administrative Office of the Courts			
Department Contract Administrator or Grant Coordinator:		Caroline Jova, Family Division Manager			
(If applicable) Department Reference #:					
Amount: (Contract/Amendment/Grant)		\$ 118,284		Advantage CT / RQS #:	
CONTRACT	Proposed Start Date:	06/01/2021		Proposed End Date:	12/31/2021
AMENDMENT	Original Start Date:			Effective Date:	
	Previous End Date:			New End Date:	
GRANT	Project Start Date:			Grant Start Date:	
	Project End Date:			Grant End Date:	
Vendor/Provider/Grantee Name, City, State:		National Institute for Trial Advocacy			
Brief Description of Goods/Services/Grant:		Online trial skills training for child welfare stakeholders			

Mark an "X" before the justification(s) that applies to this request. (Check all that apply.)

	A. Competitive Process		G. Grant
	B. Amendment		H. State Statute/Agency Directed
X	C. Single Source/Unique Vendor		I. Federal Agency Directed
	D. Proprietary/Copyright/Patents		J. Willing and Qualified
	E. Emergency		K. Client Choice
	F. University Cooperative Project		L. Other Authorization

Please respond to ALL of the following:

**1. Provide a more detailed description and explain the need for the goods, services or grant to supplement the response in Part I.**

The Family Division at the Maine Judicial Branch (MJB) hosts an annual child welfare conference that is free to all stakeholders including parent attorneys, assistant attorney generals, guardians ad litem, judicial officers, tribal representatives, and caseworkers from the Department of Health and Human Services. Conference themes and topics are established by the Continuing Education Subgroup of the Justice for Children Task Force. This year, the subgroup identified the need for a virtual litigation skills-based training focusing on direct and cross examination of witnesses, as well as introduction of evidence and impeachment of witnesses. To maximize interaction for this skills-based training, the subgroup would like the training to consist of six four-hour, online

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trial skills programs. Three of the sessions would focus on direct and cross examination and three sessions would focus on exhibits and impeachment. The training would be made available to 300 participants, with up to 50 participants in each individual training.

**2. Provide a brief justification for the selected vendor to supplement the response in Part II.**

The National Institute for Trial Advocacy (NITA) is the national gold standard for implementation of a litigation skills-based training curriculum. NITA is a 501(1)(c)(3) that operates as a service organization made up of a volunteer network of lawyers, judges, and esteemed advocates across the globe. Since 1971, NITA has provided training in the legal advocacy skills that allow the advancement of people, the legal profession, and the pursuit of justice. NITA's mission is to improve the quality of advocacy in the nation's courtrooms. NITA has been providing online training for over 10 years.

While NITA programs include faculty lecture and demonstration, NITA's programs are distinguished by a learning-by-doing teaching philosophy. The average student/NITA faculty ration is 6:1. NITA guarantees quality guidance, instruction, and individualized critique. In addition, NITA faculty members demonstrate specific advocacy skills and techniques throughout each training. Faculty are respected judges, practicing attorneys, and professors who understand the need for applying skills and persuading fact finders in real life setting. All NITA faculty have a Juris Doctor (JD) from a school accredited by the American Bar Association and admission in one or more state bars.

The six four-hour, online trial skills programs requested by the Continuing Education Subgroup of the Justice for Children Task Force will necessitate over 50 NITA faculty and staff to implement. Prior to the training, each participant receives an extensive NITA-proprietary case file, as well as on-demand video links to review for the training. Participants are expected to an extensive amount of work prior to the training session in order to best utilize the learning-by-doing teaching philosophy. During the NITA training, participants practice skills and receive feedback from the faculty on ways to improve the performance. This form of individualized critique gives the participant valuable feedback on technique, style, and strategy in a comfortable setting.

NITA allows the opportunity for the MJB to customize each training to be offered. Specifically, MJB staff will review and approve all training materials, training program schedules, and select the appropriate NITA faculty from a diverse group of over 1,000 individuals. NITA, in collaboration with the MJB, will create and implement post-session evaluations to assess performance and practice changes.

Based on research into litigation skills-based training, NITA is uniquely positioned to offer this skills-based training--there is no other local or national organization that can offer the same kind of curriculum, materials, and faculty resources to participants.

**3. Explain how the negotiated costs or rates are fair and reasonable; or how the funding was allocated to grantee.**

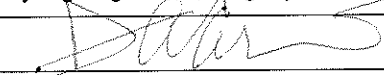
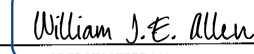
NITA proposes to provide 24 hours of training that involves over 50 faculty and staff to plan and implement. The cost also includes all materials needed for all 300 attendees for pre-session preparation and materials to be used during the sessions. All aspects of the curriculum are customized to the MJB's specific requests and desires.

**4. Describe the plan for future competition for the goods or services.**

This training will be remote due to COVID-19, and thus the cost to deliver the training will be significantly less than it would be to deliver the training in-person. This will be the only year that this training will be able to be

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provided, as the MJB intends to return to an in-person format for the next annual training.

<b>Signature of requesting Department's Commissioner (or designee):</b>	<i>By signing below, I signify that I approve of this procurement request.</i>		
			
<b>Printed Name:</b>	Dennis Corliss, Chief of Finance and Administration	<b>Date:</b>	7/7/21
<b>Signature of DAFS Procurement Official:</b>	<small>DocuSigned by:</small> 		
<b>Printed Name:</b>	<small>2D5B6E39F57E44A...</small> William J.E. Allen	<b>Date:</b>	4/12/2021

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