
MAINE COMMISSION ON INDIGENT LEGAL SERVICES

JUNE 7, 2021
ZOOM COMMISSION MEETING
AGENDA

- 1) OPEGA Update
- 2) Chapter 301 Rulemaking Proposal
- 3) Justice Works Contract Extension and RFP schedule
- 4) Paralegal Billing Amnesty Proposal
- 5) DocuWare
- 6) Public Comment
- 7) Executive Session

90-DAY VOUCHER RULE

TO: COMMISSION
FROM: JWA
SUBJECT: 90-DAY VOUCHER RULE
DATE: 6/1/2021
CC:

MCILS Rules Chapter 301, Section (6)(1) states:

Vouchers for payment of counsel fees and expenses shall be submitted within ninety days after the date of disposition of a criminal, juvenile or appeals case, or completion of a stage of a child protection case resulting in an order. Vouchers submitted more than ninety days after final disposition, or completion of a stage of a child protection case, shall not be paid.

There follows a list of events constituting disposition of a criminal case, or a “stage” in a child protective case.

Enforcement of the 90-day rule began April 1, 2021, consistent with Commission instruction. It has very quickly become apparent that there is an unfair unintended consequence to enforcement of the rule as written. An attorney who diligently records all time on a voucher may trigger an exclusion of some or all of a voucher under the time limit, while an attorney who fails to record a disqualifying event might be paid even though a voucher should be considered late.

The 90-day rule serves two purposes. First, it permits MCILS to budget more effectively by eliminating very old vouchers. Second, it prevents a client from being dunned for fees long after a case is concluded. These goals can be met with a simplified rule, while eliminating the issue described above.

I propose a rule that requires submission of a voucher within 90-days of the entry of judgment or the withdrawal from a case; and, permits and encourages interim vouchers. I also propose that MCILS permit reconsideration of vouchers that have been denied under the existing rule but would be paid under the new rule. Finally, I continue to support implementing discretion for the Executive Director in certain circumstances.

Proposed Rule:

Vouchers for payment of counsel fees and expenses shall be submitted within ninety days of a terminal case event. Lawyer of the Day and specialty courts shall be billed within 90 days of the service provided.

Terminal case events are:

- a. the withdrawal of counsel
- b. the entry of dismissal of all charges or petitions
- c. judgment in a case, or
- d. final resolution of post-judgment proceedings

Vouchers not submitted within 90-days of a terminal event cannot be paid, except on a showing by counsel that a voucher could not have been timely submitted for reasons outside the actual or constructive control of counsel.

Counsel are encouraged to submit interim vouchers not more often than once every 90 days per case.

Counsel may request reconsideration of a voucher rejected between April 1, 2021 and the effective date of this rule if that voucher would be payable under this rule.

STATE OF MAINE
MAINE COMMISSION ON INDIGENT LEGAL SERVICES
CONTRACT FOR SPECIAL SERVICES - AMENDMENT

BY AGREEMENT of both parties this _____ day of June, 2021, the Contract for Special Services between the Maine Commission on Indigent Legal Services hereinafter called "Department," and Justice Works, LLC, hereinafter called "Provider," is hereby amended as follows:

1. The termination date is adjusted from June 30, 2021 to June 30, 2022
(old service to date) (service to date)

Reason: The first extended contract term is coming to an end. MCILS is satisfied with the proprietary software and support services provided by Justiceworks under the contract to date. MCILS and Provider agree to extend the contract, under the existing terms and conditions for one year in accordance with Exhibit A.

All other terms and conditions of the original contract dated July 1, 2017 remain in full force and effect.

IN WITNESS WHEREOF, the Department and the Provider, by their representatives duly authorized, have executed this amendment in one original copy.

Provider: Justice Works, LLC

By: Carl Richey - President

Signature: _____ Date: _____

and

Maine Commission on Indigent Legal Services

By: Justin W. Andrus, Esq., (Interim) Executive Director
(Name & Title, Department Representative)

Signature: _____ Date: _____

The approval and encumbrance of this Agreement by the Chair of the State Procurement Review Committee and the State Controller is evidenced only by a stamp affixed to this page or by a Case Details Page from the Division of Procurement Services.

(note: this section must be completed by using agency)

Department number and Contract number (CT #): CT95F2017071300000000159
Vendor Code: VC0000154125 Account Codes: 010 95F Z112 01 5312
Old Contract Amount: \$ 305,000.00 Amount of Adjustment \$ 385,000.00
New Service to Date: July 1, 2021

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.

PART I: OVERVIEW

Department Office/Division/Program:		Maine Commission on Indigent Legal Services	
Department Contract Administrator or Grant Coordinator:		Justin W. Andrus, Esq., (Interim) Executive Director	
(If applicable) Department Reference #:			
Amount: (Contract/Amendment/Grant)	\$ 80,000	Advantage CT / RQS #:	CT 95F 20170713000000000159
CONTRACT	Proposed Start Date:		Proposed End Date:
AMENDMENT	Original Start Date:	July 1, 2017	Effective Date:
	Previous End Date:	June 30, 2021	New End Date: June 30, 2022
GRANT	Project Start Date:		Grant Start Date:
	Project End Date:		Grant End Date:
Vendor/Provider/Grantee Name, City, State:		Justice Works, LLC, Centerville, Utah	
Brief Description of Goods/Services/Grant:		Web-Based Attorney Voucher Management System	

PART II: JUSTIFICATION FOR VENDOR SELECTION

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

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

PART III: SUPPLEMENTAL INFORMATION

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 Commission on Indigent Legal Services oversees approximately 400 private attorneys who represent indigent clients who are entitled to representation at state expense. Justice Works provides an electronic attorney voucher system used by attorneys to submit bills for service that are reviewed by Commission staff for approval and payment

State of Maine Procurement Justification Form

PART III: SUPPLEMENTAL INFORMATION

The Commission receives approximately 30,000 vouchers per year and has a staff of only two (2) people for the review and approval process. The system provided by the vendor is highly efficient and essential for the Commission to accomplish the review and approval process given its small staff.

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

Competitive bid. Note that this contract does not provide for a flat fee, but instead, the vendor is paid a fixed amount for each new case entered into the attorney voucher system. During the original contract term, \$70,000 was allocated to the contract for each of the first three years. During FY' 20, the number of new cases increased, requiring an amendment to that year's allocation to cover the increased cost. Based on this history, \$80,000 is allocated to cover this second one-year extension.

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

Competitive bid. Note that this contract does not provide for a flat fee, but instead, the vendor is paid a fixed amount for each new case entered into the attorney voucher system. During the original contract term, \$70,000 was allocated to the contract for each of the first three years. During FY' 20, the number of new cases increased, requiring an amendment to that year's allocation to cover the increased cost. Based on this history, \$80,000 is allocated to cover this initial one-year extension.

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

The contract is currently in the second of two (2) one-year extensions under the existing contract. The Commission anticipates exercising this second extension option, and then putting the service out to competitive bid.

PART IV: APPROVALS

Signature of requesting Department's Commissioner (or designee):	<i>By signing below, I signify that I approve of this procurement request.</i>		
Printed Name:		Date:	
Signature of DAFS Procurement Official:			
Printed Name:		Date:	

Professional Services Quote / SOW

For

**State of Maine
Office of Information Technology**

To

**Maine Commission on Indigent Legal Services (MCILS) – Discovery –
Configuration and Workflow Design**

May 27, 2021

Quote Number: QUO-05158-K2F7F8

The State of Maine and DocuWare Corporation hereby jointly execute the attached Statement of Work per contract Master Agreement 18P-190919-051 , effective September 15, 2019.

PROFESSIONAL SERVICES AGREEMENT AUTHORIZATION

The parties have executed this Agreement through their duly authorized representatives.

_____	Office Of Information Technology	DocuWare Corporation ("DWC")
("CUSTOMER")		
By: _____	By: _____	By: _____
_____	_____	_____
Name:	Name:	Name:
Title:	Title:	Title:
Date: _____	Date: _____	Date: _____

Quote Number: QUO-05158-K2F7F8

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General Information

Objective

The State of Maine's Maine Commission on Indigent Legal Services (MCILS) currently does not use any Document Management System. The entity mentioned above had requested a solution for their Data Repository and Online Forms to Collect/Store Attorney Application Data/Documents.

Current situation

- Each year, MCILS (4 people in all, including management) contracts with about 500 private attorneys to represent clients in 30K cases. These attorneys are required to file applications (available online) to participate in the program. On these applications, MCILS solicits demographic data, the attorneys' areas of expertise/specialties, the types of cases they wish to represent, continuing legal education (CLE) hours, confirmation that they've read certain information, etc.
- Attorneys complete and file these applications electronically, by fax, or as mailed-in paper documents. Depending on the format, each set of documents is stored in file cabinets and/or online storage devices. Today, there is no data organization that allows MCILS staff to easily identify attorneys who satisfy specific criteria. Instead, the process to do so involves reviewing paper and electronic files – this is a highly manual and time-consuming effort. For example:
 - To create a list of all attorneys who have ever requested to be on a specific specialist case type, staff would need to pull over 800 individual paper files. A subsequent request for information about attorneys would involve a similarly difficult search, because the search criteria will likely be different the next time. Although some documents may exist in electronic form, staff cannot do simple searches to find them, due to inconsistencies in the way the attorneys present data to MCILS.
- MCILS needs a process that minimizes/eliminates the manual effort involved in collecting, storing, and retrieving data about attorneys.
- Possible future funding from the legislature is contingent upon MCILS' ability to quickly demonstrate meaningful progress in addressing several operational issues, including data management.

Customer Proposed Business Objects

- To eliminate the workload associated with the current process, MCILS will require all attorneys to file their applications electronically. Ideally, this will be done through the use of publicly-accessible online forms, from which the data will be submitted, extracted, and staged for loading into a SQL database (DocuWare file cabinet).
- All applications will be reviewed by MCILS staff. Those that are legitimate & complete will be approved and loaded into the production database. Those that are not will be rejected.
- Any applications that are not submitted electronically will be rejected. If historical attorney data is required in the system, it will be manually entered into the system by MCILS office staff.

Proposed Products/Modules

MCILS will utilize the State of Maine DocuWare Enterprise Edition installation. MCILS will be placed in a separate file cabinet (entity). The following modules will be used:

- Import with Barcode and Forms
 - To be able to OCR or read barcodes information from digital documents
- Connect to Outlook
 - It will allow importing documents from Microsoft Outlook.
- DocuWare Forms
 - It will design the interface (form) for collecting information and storing it into a file cabinet.
- Intelligent Indexing
 - This module will help capture document metadata by performing an OCR scan and, at the same time, learning the patterns in how to extract data from scanned documents.

Binding Scope of Requested Services

The scope of this engagement is to analyze the documents and processes related to the State of Maine's Maine Commission on Indigent Legal Services (MCILS) project. This will allow DocuWare to assess the requirements for this implementation. This includes changes to how DocuWare will implement and what will be needed to be configured for the MCILS project.

The Discovery/SOW will start and end with a meeting with the project team and stakeholders. After the initial meeting, DocuWare will analyze the current system, the plan for the new system, and the business processes. This will include analyzing how the system is used today.

The objective of the Discovery/SOW will be to determine what will be needed in DocuWare to support the MCILS project. It will also determine how DocuWare will be accessed and configured.

The results of the Discovery will be delivered in a Discovery document that summarizes the current processes and presents what can be done with DocuWare in the future. Properly understanding the future process is a critical step towards building the solution. Once the results of the Discovery have been provided, this document will be edited by both MCILS and DocuWare to come up with the final plan.

Once the document has been finalized, it will be signed by MCILS. At this point, a quote for the project will be produced. This document will include the discovery document, a specification document, and a project plan.

Scope of Services

Process Analysis

The work will begin by a meeting with the project team and the stakeholders for the State of Maine's Maine Commission on Indigent Legal Services (MCILS) project. The first step after the initial meeting will be to learn more about the process and requirements. The goal will be to learn about the documents that will be produced and what will need to be accessed from DocuWare.

DocuWare will also interview the appropriate people to learn about these documents. It will be important to review the lifecycle of the documents. It is critical to see first-hand how the documents are processed today.

The following is a list of some of the key tasks to be performed during the Discovery/SOW:

1. Analyze the current system and the plans for the new system
2. Determine the DocuWare field and security requirements
3. Determine the lifecycle of each type of document
4. Understand the business processes related to the documents
5. Find out whether there is a need to access DocuWare directly for any work related to the new system.

Once the Discovery is completed, DocuWare will provide a Discovery document that summarizes the findings and DocuWare's recommendations on how to configure the system. This Discovery document will outline



the business processes that are currently in place. It will then discuss how DocuWare and MCILS will support the work that will be done in the new system.

This document will be reviewed with the MCILS. This review will allow MCILS to confirm what was accurately documented and adjust what is not. The document will then be updated as needed by DocuWare and MCILS. When the discovery document is finalized, it will be signed off on by MCILS. At this time, a quote for the implementation will be generated. This quote document will include the Discovery document, Design Document, and a Project plan.

Configuration Development Overview

DocuWare Engineer will configure one file cabinet and a few other capture configurations (import and Connect to Outlook configurations) into a file cabinet. The configurations are listed below.

Document Types Overview

We will create a drop-down list for a field called “Document Type” from the below values.

	Document Type	Capture Method
1	Initial Registration	Gigital Generation
2	Annual renewals	Gigital Generation
3	CLE Reports	Gigital Generation
4	Specialized Apps	Gigital Generation
5	Roster Change Rqst	Gigital Generation
6	Withdrawal	Gigital Generation
7	Reinstatement	Gigital Generation
8	Correspondence	Gigital Generation
9	Late voucher requests	Gigital Generation
10	Appointment	Gigital Generation
11	Approval	Gigital Generation
12	Co-counsel Approval	Gigital Generation
13	Running Sheet	Gigital Generation
14	Request for Funds	Gigital Generation
15	Funds Approval	Gigital Generation
16	Rqst Supplmnt Funds	Gigital Generation
17	Supplmnt Approval	Gigital Generation
18	Invoices	Gigital Generation
19	Complaint	Gigital Generation
20	Correspondence	Gigital Generation
21	Witness Fee Forms	Gigital Generation
22	Application	Gigital Generation
23	Financial Statement	Gigital Generation
24	Appointment	Gigital Generation
25	Monthly	Gigital Generation

26	Supply Requests	Gigital Generation
27	Supply Receipts	Gigital Generation
28	Travel Forms	Gigital Generation
29	Overpayment	Gigital Generation
30	Reimbursement	Gigital Generation
31	Commission Memo	Gigital Generation
32	ED Memo	Gigital Generation
33	Meeting Packages	Gigital Generation
34	Correspondence	Gigital Generation
35	RFP	Gigital Generation
36	Contract	Gigital Generation
37	Budget	Gigital Generation
38	Request	Gigital Generation
39	Five-day Letter	Gigital Generation
40	Update	Gigital Generation
41	Response	Gigital Generation
42	Correspondence	Gigital Generation
43	Memorandum	Gigital Generation
44	Correspondence	Gigital Generation
45	Complaint	Gigital Generation
46	Notice	Gigital Generation
47	Response	Gigital Generation
48	Follow up	Gigital Generation
49	F/U Response	Gigital Generation
50	Memo	Gigital Generation
51	Evidence	Gigital Generation
52	Decision	Gigital Generation
53	Notice to Compl	Gigital Generation
54	Appeal	Gigital Generation
55	Transfer	Gigital Generation
56	Application	Gigital Generation
57	W9	Gigital Generation
58	Renewal (by year)	Gigital Generation

59	Invoice	Digital Generation
60	Correspondence	Digital Generation
61		
62		
63		
64		
65		
66		
67		

File Cabinet Properties

MCILS will have a single file cabinet. Various fields and field metadata will be used to control access to the file cabinet. File cabinet properties are listed below:

- Name: MCILS Documents
- Color: Blue
- Fulltext: Yes
- Index Entries in Upper Case: No
- Version Management: No

NOTE: The [MCILS FileCabinetInfo Template.xlsx](#) contains detailed information about the file cabinet design.

File Cabinet Fields

	Field Name	Length	Field Type
1	Document Type	255	Text
2	Document Date		Text
3	Document Status	255	Text
4	Department / Entity	255	Text
5	Type	255	Text
6	Bar ID	255	Text
7	First Name	255	Text
8	Last Name	255	Text
9	Year		int
10	Subject	255	Text
11	Panel	255	Text

12	Client Last Name	255	Text
13	Client First Name	255	Text
14	Docket Number	255	Text
15	Vendor Last Name	255	Text
16	Vendor First Name	255	Text
17	Vendor Co.	255	Text
18	Vendor Code	255	Text
19	Screener Last Name	255	Text
20	Screener First Name	255	Text
21	Author	255	Text
22	Month		int
23	Sender	255	Text
24	Recipient	255	Text
25	Contractor Last Name	255	Text
26	Contractor First Name	255	Text
27	Contractor Co.	255	Text
28	Title	255	Text
29	FY	255	Text
30	Requestor	255	Text
31	Complainant Last Name	255	Text
32	Complainant First Name	255	Text
33	Delete Flag	50	Text
34	Access Level	50	Text
35			
36			
37			
38			
39			
40			

File Cabinet Profiles / Rights

We will create filter file cabinet profiles to facilitate access to documents with specific metadata.

	File Cabinet Profile Name (Manage Access Rights)	Administrator (Manage Permission, Operator, Manage Dialogs)	Store	Search	Display Documents	Edit Index data	Edit Documents	Delete Documents	Export	Append	Append to read only	Modify Read Only	Check-Out	View document History	Annotation Rights	Filter Value
1	Operations		x	x	x	x	x		x	x				x	X	Delete Flag = No Access Level = Operations
2	Executive		x	x	x	x	x		x	x				x	X	Delete Flag = No Access Level = Executive
3	Screener		x	x	x	x	x		x	x				x	X	Delete Flag = No Access Level = Screener
4																
5																
6																
7																
8																
9																
10																

File Cabinet Dialogs

We will create multiple “store” and “search” dialogs to simulate or display the fields for the main document category.

Below is a list of proposed dialogs for search and store.

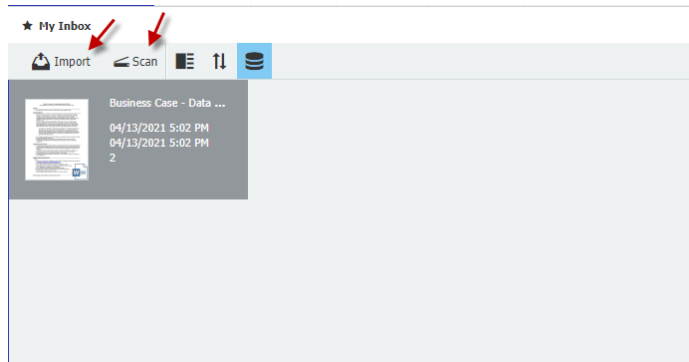
Dialog Name (Task-List) (Search and Store Dlg)	Assign to Role	File Cabinet Fields
Attorney Supervision	ALL	Atty Last; Atty First; Bar ID; Client Last; Client First; Docket Number, Year; Subject matter
Client Case Mgmt.	ALL	Vendor Last; Vendor First; Vendor Co; Vendor Code; Atty Last; Atty First; Bar ID; Client Last; Client First; Docket Number
Screener	ALL	Atty Last; Atty First; Bar ID; Client Last; Client First; Docket Number, Month, Year

Commission	ALL	Author, Subject; Contractor Last; Contractor First; Contractor Co, FY, Year, Month
FOAA	ALL	Requestor; Subject
HR	ALL	Subject; Sender; Recipient
Investigation	ALL	Complainant Last; Compl First; Atty Last; Atty First; Docket No
Non-Counsel	ALL	Vendor Last; Vendor First; Vendor Co; Vendor Code; Atty Last; Atty First; Bar ID; Client Last; Client First; Docket Number

Document Capture

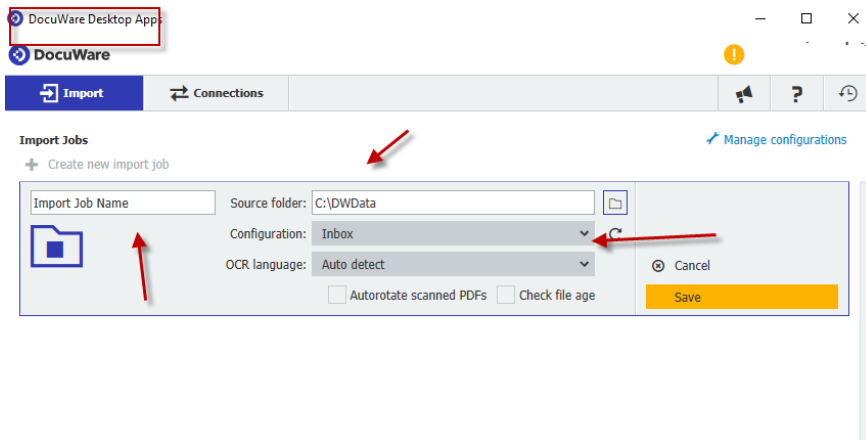
Manual Import

The customer has options to import into a web tray utilizing drag-n-drop or by browsing a Windows folder and selecting the files. Once the documents are stored in a tray, the customer must store them manually.



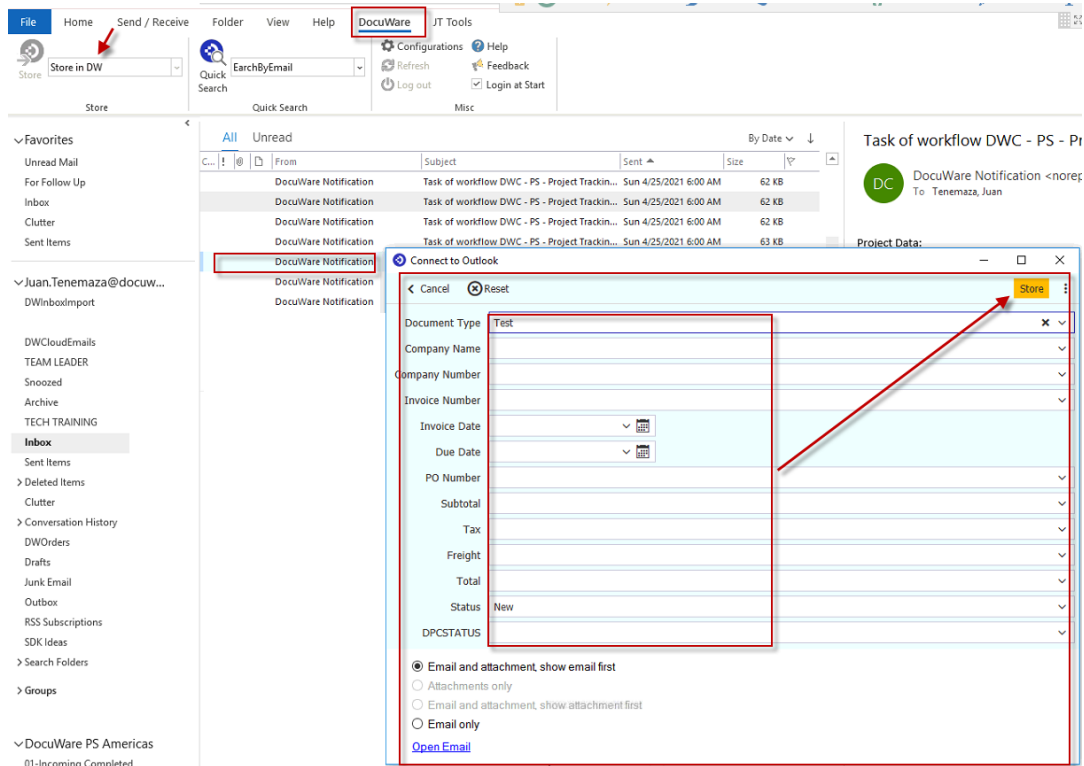
Import Process through Watch Folder

The customer has an option to create a centralized Windows directory (locally) or in a dedicated machine where an import job can be configured. All documents dropped into that folder will be transferred automatically to the tray or file cabinet. The import configuration must be defined once the implementation has started.



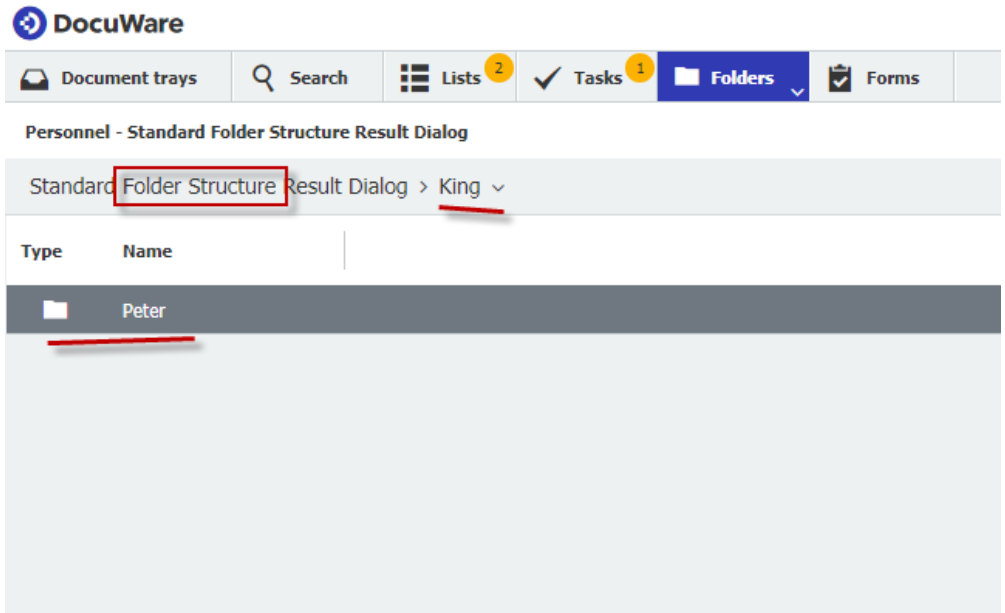
Connect to Outlook

Connect to Outlook is a Com plug-in that can be installed with Microsoft Outlook Client. We will create a manual store and watch-folder template. Once configured, the user can select the email(s) and matching configuration and store them into a file cabinet or tray.



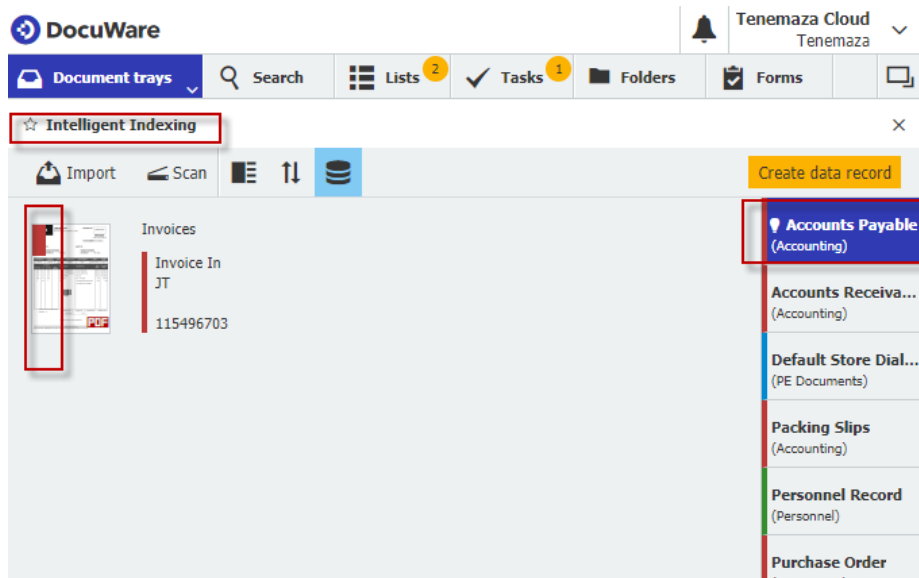
Treet View / Folder Structure Dialog

A folder structure dialog will help the customer utilize the existing data and display a pop-up dialog with other fields. Then, the user can enter all required data of the document before storing documents.



Intelligent Indexing

Any document that comes to the tray with Intelligent Indexing will help the customer extract metadata for those documents. In the long run, the metadata of the structured document will be extracted automatically.



DocuWare Forms and Workflow – Module

The customer is interested in DocuWare Form to streamline the data capture of their private attorneys. The process will be defined after the base installation and configuration of their file cabinet. It is not within this scope of work/project.

The main idea is to utilize Forms to capture data and the workflow to route processes to multiple entities. It is not within the scope of this project.

Training Plan for Users

DocuWare Engineer will provide a four (4) hours end-user training session. This training session focused on how to utilize the software and document capture capabilities.

The hardware installation, configuration, and training will be handle by Team at OIT.

Project Management

Project Management will be a shared responsibility between the State of Maine Office of Information Technology (OIT), the DocuWare Team at OIT, and DocuWare. Regular calls will be set up as needed to manage the activities in the project. In addition, as part of project management DocuWare provides reports about delivered services and the current status of the project in a bi-weekly period for the project as a whole.

Calculation

All topics listed are offered as **Fixed Fee** engagements. Due to the current working environment, the work is expected to be done offsite.

- Discovery and Implementation / Training	<u>\$ 4,500.00</u>
○ Discovery / SOW Writing	
○ Base configuration / Impletion	
▪ Trays / Dialogs / List	
▪ Stamps	
▪ Users (system and file cabinet rights)	
○ Modules Configuration	
▪ Import / Connect to Outlook / Intelligent Indexing	
○ Training (4 hrs)	
Total Project Cost – Professional Services	\$ 4,500.00
Estimated Travel – T&L Expenses (Onsite is not possible now)*	<u>\$ 0.00</u>
Total:	\$ 4,500.00

Appendix

Configuration Platform

Tasks	Completed by
The configuration will be built in a DEV environment first, and then we will recreate it in the production server.	06/04/2021

List of contacts for Process Analysis and Installation

Name	Function/Title	Role
Karen Klockson	SOM OIT Project Manager	Project Manager
Brian Schwalm	SOM OIT DocuWare Team	Project Lead
Ann Saban	Manager SOM OIT DocuWare Team	Project Lead

List of responsible contacts for User Acceptance Testing

Name	Function/Title	Role
N/A		

List of Attendees for Power User Training

Name	Function/Title
N/A	

List of Attendees for User Training

Focus	Name	Title/Role
N/A		

Project Management Group

Name	Report	Conference Call
Ann Saban	Manager SOM OIT Fortis Team	