

## **Report of State Court Administrator On Attorney/Client Conference Space Public Law 2023, Chapter 394. Part B**

The Judicial Branch has been asked to provide a report on the availability of space in public areas of the courthouses and in secure holding areas of the courthouses for confidential discussions between defendants and their attorneys. See Public Law 2023, chapter 394, Part B. The following information has been specifically requested: (1) the availability of space in public areas and in secure holding areas for confidential attorney/client communications, including the review of written, video and audio materials related to criminal cases; (2) an assessment of the space available, and (3) plans for the development of adequate space, where needed.

### **1. Availability of Space in Public Areas and in Secure Holding Areas**

With respect to the current availability of space for attorney/client communication, the attached spreadsheet lists each courthouse and the number of conference rooms, attorney rooms, jury retirement rooms, and secure holding areas listed separately. None of these spaces contain computers or AV equipment for use in reviewing discovery materials. Attorneys must provide their own electronic equipment for viewing audio or video files. The Judicial Branch does not have the resources to purchase equipment for these spaces, or the personnel to maintain the equipment.

### **2. Assessment of the Space Available**

The Judicial Branch is generally aware that older courthouses lack sufficient conference space. These older buildings have other deficiencies as well, including safety and security concerns, accessibility problems, and inadequate infrastructure to accommodate new technology.

For the past fifteen years, the Judicial Branch has embarked on a campaign to construct, renovate, repair, and consolidate our courthouses to bring them up to twenty-first century standards, including adding conference rooms for attorney/client use. We have built or improved buildings in Bangor, Rockland, Houlton, Machias, Dover-Foxcroft, and Augusta. More recently, we have renovated courts in Belfast and South Paris, and constructed a large new courthouse in Biddeford. New buildings have a ratio of two attorney conference rooms to one courtroom. This ratio seems to meet the demand for conference room space. In York County, the York Judicial Center has 12 courtrooms and 27 conference rooms in the public areas. We are planning to construct new facilities in Ellsworth, Skowhegan and Lewiston and will add additional conference rooms in these facilities to alleviate the shortage of adequate space for attorney/client communications.

### **3. Plans for Development of Adequate Space**

As discussed above, the Judicial Branch intends to add conference room space when constructing new court facilities. In our older courthouses, we apply a couple of different strategies to accommodate attorney/client needs.

When marshals are aware that an attorney needs private space for a client who is in State custody, the marshals make arrangements for the attorney and the client to meet in a prisoner conference room, other holding facility room, a jury deliberation room, or other vacant room in the courthouse where the client can remain secured, but the conversation can be held confidentially. The specific arrangement depends on the resources available at the courthouse. These arrangements are generally ad hoc and can be adjusted depending on the need for the day.

The Judicial Branch is aware that there is a chronic need for additional conference room space in the Cumberland County Courthouse, and we are trying to address that need with a reconfiguration of building space that will add more conference rooms. This has proven to be a challenge because most of the space is being used for other critical needs. The project has been assigned to a building committee charged with coming up with a recommendation to accommodate these needs.

Please let us know if you have further questions about courthouse space, or anything in this report.