

131st MAINE LEGISLATURE

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Legislative Document

No. 564

S.P. 235

In Senate, February 9, 2023

An Act to Improve Access to Civil Legal Services

(EMERGENCY)

Reference to the Committee on Judiciary suggested and ordered printed.

DAREK M. GRANT Secretary of the Senate

Presented by Senator CARNEY of Cumberland.
Cosponsored by Representative MILLETT of Waterford and
Senators: BAILEY of York, BENNETT of Oxford, MOORE of Washington, Representatives:
KUHN of Falmouth, MOONEN of Portland, POIRIER of Skowhegan, RANA of Bangor.

1 **Emergency preamble.** Whereas, acts and resolves of the Legislature do not 2 become effective until 90 days after adjournment unless enacted as emergencies; and 3 Whereas, Maine's civil legal aid providers offer a full range of legal assistance to 4 Maine people with low or no income, from services that help individuals and families meet 5 basic needs and assert other legal rights to advocacy efforts to advance and protect their legal interests on a systemic scale; and 7 Whereas, approximately 356,500 Maine people have low income, living below 200% 8 of the federal poverty level; and 9 Whereas, most Maine people with low income face at least one civil legal issue each year that cannot be fairly resolved without legal advice or effective legal advocacy; and 10 11 Whereas, Maine's civil legal aid providers currently lack the resources to provide 12 representation to more than a small fraction of those who need their assistance with life-13 altering legal issues; and 14 Whereas, these providers are facing reductions in other sources of funding at the same time that the need for civil legal aid has been increasing dramatically; and 15 16 Whereas, a timely increase in investment in the Maine Civil Legal Services Fund is 17 essential to sustain and improve access to civil legal aid; and 18 Whereas, in the judgment of the Legislature, these facts create an emergency within 19 the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, 20 21 therefore, 22 Be it enacted by the People of the State of Maine as follows: 23 Sec. 1. Appropriations and allocations. The following appropriations and 24 allocations are made. 25 JUDICIAL DEPARTMENT 26 Courts - Supreme, Superior and District 0063 27 Initiative: Increases funding for civil legal services for persons who otherwise are not able to pay for those services by providing additional funds for distribution by determination of 28 29 the Civil Legal Services Fund Commission pursuant to the Maine Revised Statutes, Title 30 4, section 18-A, subsection 1. 31 **GENERAL FUND** 2023-24 2024-25 32 All Other \$3,900,000 \$7,800,000 33 34 \$3,900,000 GENERAL FUND TOTAL \$7,800,000 35 **Emergency clause.** In view of the emergency cited in the preamble, this legislation 36 takes effect when approved. **SUMMARY** 37 38 This bill provides for increases in the ongoing appropriation to the Judicial Department

for civil legal services. The funding supplements existing revenue that is distributed to

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- providers of civil legal services by determination of the Civil Legal Services Fund Commission. 1 2