

STATE OF MAINE

 IN THE YEAR OF OUR LORD

TWO THOUSAND NINETEEN

 H.P. 177 - L.D. 214

An Act To Increase Funding for Civil Legal Services

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 4 MRSA §18-A, sub-§1, ¶B, as amended by PL 2005, c. 361, §1, is further amended to read:

B. Except as provided in paragraph C, money in the fund must be disbursed to legal services providers to support the provision of free civil legal services to low-income or needy people or the needy elderly in this State. Money disbursed from the fund may not be used by a recipient to support lobbying as defined in Title 3, section 312-A, subsection 9 unless the recipient is responding to a request by a Legislator or a member of the Executive Department. Only the following legal services providers may receive disbursement to provide free civil legal services:

- (1) Nonprofit organizations whose missions include the provision of statewide free civil legal services and who have at least ~~one year~~ 5 years of experience providing free civil legal services;
- (2) Legal aid clinics of accredited law schools operating exclusively in Maine; and
- (3) Programs whose primary mission is to coordinate pro bono legal services on a statewide basis for low-income people in this State.

Sec. 2. 4 MRSA §18-A, sub-§3-A, ¶A, as repealed and replaced by PL 2005, c. 361, §2, is amended to read:

A. For all fees collected by the Judicial Department after ~~July 1, 2005~~ October 1, 2019, ~~7%~~ 9% must be deposited in the fund. This paragraph does not apply to fees dedicated under section 17-A or section 18-B, subsection 8 or to surcharges imposed pursuant to paragraph C.

Sec. 3. 4 MRSA §18-A, sub-§3-A, ¶C is enacted to read:

C. A surcharge of \$127 must be imposed by a court on the fee for commencement of each action for small claims or money judgment when the action is brought by a

person who is a debt collector within the meaning of Title 32, section 11002, subsection 6, and the surcharge must be deposited in the fund.

Sec. 4. Appropriations and allocations. The following appropriations and allocations are made.

JUDICIAL DEPARTMENT

Courts - Supreme, Superior and District 0063

Initiative: Increases funding for civil legal services for persons unable to afford a lawyer by providing additional funds available for distribution by the Civil Legal Services Fund Commission pursuant to the Maine Revised Statutes, Title 4, section 18-A, subsection 1, by increasing the percentage of certain fees allocated to the Maine Civil Legal Services Fund.

OTHER SPECIAL REVENUE FUNDS	2019-20	2020-21
All Other	\$105,076	\$140,101
OTHER SPECIAL REVENUE FUNDS TOTAL	\$105,076	\$140,101

Courts - Supreme, Superior and District 0063

Initiative: Increases funding for civil legal services for persons unable to afford a lawyer by providing additional funds available for distribution by the Civil Legal Services Fund Commission pursuant to the Maine Revised Statutes, Title 4, section 18-A, subsection 1, by imposing surcharges on filing fees for debt collectors' actions.

OTHER SPECIAL REVENUE FUNDS	2019-20	2020-21
All Other	\$609,934	\$813,245
OTHER SPECIAL REVENUE FUNDS TOTAL	\$609,934	\$813,245

**JUDICIAL DEPARTMENT
DEPARTMENT TOTALS**

	2019-20	2020-21
OTHER SPECIAL REVENUE FUNDS	\$715,010	\$953,346
DEPARTMENT TOTAL - ALL FUNDS	\$715,010	\$953,346