

Good afternoon, chairpersons Carney and Moonen, and all members of the Judiciary Committee.

My name is Josie Phillips, and I am representing Maine Center for Economic Policy. I am testifying in favor of LD 564, “An Act to Improve Access to Civil Legal Services,” because it helps to ensure that our complicated legal system functions effectively for all Mainers.

The legal system at every level — state and federal, civil and criminal — is complicated. So complicated that receiving a law degree alone takes three years,¹ and those who study the law often are highly specialized in specific fields. This complexity is a good thing in that it allows our laws to be as diverse and detailed as the people and situations to which they apply. The law’s complicated nature also means that engaging with the legal system — understanding the rights, responsibilities, and avenues for recourse available to everyone — is virtually impossible for people who have not spent significant amounts of time studying how our laws and the courts that enforce them operate. Because of this, the very people the law is meant to protect are often rendered unable to properly exercise their rights or understand what options they have for justice under the legal system.

Legal representation can act as a bridge between people engaged in legal proceedings and their rights under the law, helping ensure that all parties receive the justice they are due. However, this legal representation is not guaranteed to people involved in civil cases and is often prohibitively expensive to acquire, especially to people with low incomes. This means that people involved in civil cases — and most Maine households with low incomes face at least one civil legal issue per year² — are often at a stark disadvantage when it comes to these proceedings. We can see this disadvantage reflected in eviction data. In eviction cases, only 20 percent of Maine tenants have legal representation, compared to 81 percent of landlords.³ When tenants have representation, their odds of experiencing eviction decline dramatically.⁴ One study involving eviction trial data from New York City found that receiving legal representation decreased tenants’ odds of having an eviction issued against them by more than two thirds.⁵ Access to legal representation for tenants with low income is particularly important given the severity of Maine’s affordable housing crisis, with eviction filings increasing by 27

¹ U.S. News & World Reports, “How Long Is Law School and What Is It Like?”

<https://www.usnews.com/education/best-graduate-schools/top-law-schools/articles/2019-01-14/how-long-is-law-school-and-what-is-it-like>

² New York Times, “How Rising Inequality Has Widened the Justice Gap.”

<https://www.nytimes.com/2018/08/31/business/rising-inequality-widened-justice-gap.html>

³ Maine Housing, “Evictions in Maine: February 2021 Update.” <https://mainehousingcoalition.org/wp-content/uploads/2020/09/Evictions-in-Maine-February-2021.pdf>

⁴ ACLU, “New Report Illustrates How Right to Counsel Prevents Evictions and their Discriminatory Impacts on Communities.” <https://www.aclu.org/news/womens-rights/new-report-illustrates-how-right-to-counsel-prevents-evictions-and-their-discriminatory-impacts-on-communities>

⁵ Princeton University, “The Effects of Legal Representation on Tenant Outcomes in Housing Court: Evidence from New York City’s Universal Access Program.” https://economics.princeton.edu/wp-content/uploads/2022/03/Currie_Cassidy_UA.pdf

Board of Directors

Lee Webb, Ph.D., Chair
Barbara Burt, Vice-chair
Pamela Cox, Treasurer
Ben Chin, Secretary

Sandra Butler
Maulian Dana
Marcus Hutchins
Jessica Maurer

Stacy Mitchell
Matt Schlobohm
Lucy Van Hook

percent between 2021 and 2022.⁶ By preventing unfair or illegal evictions, funding civil legal aid also helps provide housing stability to many renters.

LD 564 would help stem the tide of evictions, increasing housing security across the state, which then provides crucial stability to the state's economy.⁷ LD 564 would also make our civil legal system fairer for Mainers with low incomes by providing necessary funding for civil legal aid. This legal aid is crucial to the wellbeing of Mainers — more than 350,000 of whom are eligible for free civil legal [services](#) but [may not be able to access these services](#) due to lack of funding.⁸ Without it, Maine's civil legal system will become even more inaccessible to the people most in need of justice and further stacked in the favor of those with the resources to navigate the system. Because of the support this bill provides to Mainers with low incomes and to the state's civil legal system as a whole, I encourage this committee to vote yes on LD 564.

⁶ Portland Press Herald, "Evictions in Maine shot up during 2022, with filings growing 27%." <https://www.pressherald.com/2023/01/19/evictions-in-maine-shot-up-during-2022-with-filings-growing-27/>

⁷ National Low Income Housing Coalition, "Why do affordable homes matter?" <https://nlihc.org/explore-issues/why-we-care>

⁸ Kaiser Family Foundation, "Distribution of the Total Population by Federal Poverty Level (above and below 200% FPL)." <https://www.kff.org/other/state-indicator/population-up-to-200-fpl/?dataView=1¤tTimeframe=0&sortModel=%7B%22colId%22:%22Location%22,%22sort%22:%22asc%22%7D>