

To: The Honorable Ann Carney  
The Honorable Matthew Moonen  
Members of the Joint Standing Committee on Judiciary

Date: March 21, 2023

Re: Testimony of Paul Lavin in Support of L.D. 564 - An Act to Improve Access to Civil  
Legal Services

Senator Carney, Representative Moonen and esteemed members of the Joint Standing Committee on Judiciary,

My name is Paul Lavin and I am a resident of Winthrop. I worked for Legal Services for the Elderly for ten years, first as a Helpline attorney and then as the Executive Director from 2002 to 2005. After leaving LSE and until my retirement in 2021, I had been the Assistant Director of the Maine Ethics Commission for fifteen years. I am submitting my testimony in support of L.D. 564, An Act to Improve Access to Civil Legal Services.

L.D. 564 presents a two-fold opportunity. First, the increased funding will maintain the progress Maine has made in the past two years in improving access to justice for Mainers who need legal help but cannot afford an attorney. Second, the funding will build on that progress and expand the legal resources to help even more low-income and vulnerable Mainers.

Some of the most vulnerable are older Mainers. One out of every three Mainers over 65 has income below 200% of the federal poverty level.<sup>1</sup> Social Security is the sole source of income for seventy percent (70%) of low-income seniors. The average monthly Social Security benefit in 2023, according to AARP, is \$1,827 and many older Mainers receive far less. After paying for housing, health care, food, electricity, heating, and transportation - all of which cost more and more each year - there is little, if anything, left to hire an attorney to handle a legal matter, no matter how urgent.

According to studies, over 50% of low-income seniors will experience a legal problem in a year and many will experience more than one.<sup>2</sup> These legal problems - eviction and foreclosure, benefit denials, physical abuse, financial scams and exploitation - affect older Mainers' health, security and independence. In all of these cases, legal intervention is the only means to protect the interests of the older person. But the vast majority of these seniors do not get the legal help they need, resulting in negative outcomes leading to a diminished quality of life. With increased

---

<sup>1</sup> How Many Seniors Live in Poverty?, Kaiser Family Foundation, Nov. 2018.

<sup>2</sup> Legal Needs Assessment of Older Adults in Maine: 2011 Survey Findings from Key Populations of Older Adults, University of Maine Center on Aging, December, 2011, and Justice Gap Measurement Survey, The Justice Gap: Measuring the Unmet Civil Legal Needs of Low Income Americans, 2017.

capacity, civil legal services providers could prevent those outcomes by providing legal help to more vulnerable Mainers.

Maine's civil legal services providers, through their skillfulness, dedication and creativity, have done more to serve the needs of low-income and vulnerable Mainers than one would think possible given their small numbers and budgets. Maine's private bar has been truly generous with their donations to the Campaign for Justice and thousands of hours of pro bono work. But the legal resources available today are overwhelmed by the present needs of low-income and vulnerable Mainers. And the gap widens each year as the need for legal assistance only increases.

The increased funding for the Maine Civil Legal Services Fund in L.D. 564 won't close that gap entirely, but it will make a difference for the better in the lives of thousands of Mainers. With this funding, the providers will be able to increase staffing to handle more cases, expand their excellent technology and self-help tools, and serve more communities with their outreach and educational efforts. I urge you to vote unanimously Ought to Pass on L.D. 564.

Thank you for the opportunity to testify.