



March 21, 2023

Senator Carney, Senate Chair
Judiciary Committee

Representative Moonan, House Chair
Judiciary Committee

Dear Senator Carney, Representative Moonan, and esteemed members of the Judiciary Committee:

My name is Michelle Draeger and I live in (Falmouth). I am the Executive Director of the Maine Justice Foundation, and it has been our mission for 35 years to support civil access to justice for economically vulnerable Mainers

I am respectfully making this submission in support LD 564 – An Act to Improve Access to Civil Legal Services. Funding to increase legal services capacity to meet growing unmet legal needs of people who cannot afford legal assistance is critically needed to ensure that all Mainers, particularly those most economically vulnerable, will have access to justice.

Unlike in criminal cases, there is no court appointed counsel when poor people face life altering legal crises such as evictions, foreclosures, domestic violence, elder abuse and exploitation, and preservation of public benefits. For Maine's poorest citizens, many civil legal emergencies can be complex and insurmountable without a lawyer.

Until now, many of Maine's civil legal service providers for the poor have subsisted on an unpredictable patchwork of resources that are susceptible to economic volatility. The Maine Justice Foundation oversees the administration a few of these sources of funds such as the Campaign for Justice and Interest on Lawyers Trust Accounts. The Campaign for Justice is an annual fundraising campaign among the private bar to underwrite civil legal aid. Annually, we raise on average, about \$600,000 - \$700,000 in gifts from Maine's very generous bar for this purpose. We also administer the annual interest earned on lawyer's trust accounts for civil legal aid, also averaging \$600,000-\$800,000 annually. The income from IOLTA accounts depends on interest rates banks pay on deposit accounts. Certainly, when interest rates are low during challenging economic times such as the pandemic, income from this source can be dramatically impacted. Unfortunately, the need for civil legal aid for Maine's poor dramatically outpaces these resources.

With a strong delivery system and enough funding to meet growing needs, investing in civil legal will have positive far-reaching impacts on taxpayers, businesses, and health care providers. Civil legal aid helps:

- Families stay in their homes;
- Keeps children from being taken away from a parent;
- Elderly be protected from abuse and exploitation;
- Families secure health insurance coverage or Medicaid;
- Veterans maintain benefits;
- Protects survivors of domestic violence from continued abuse; and
- Asylum seekers attain freedom, citizenship, and employment eligibility.

We believe that access to justice is a basic human right, one that should be extended to all people. We support LD 564 and ask the Legislature to also support this bill because it will provide necessary ongoing funding to help Mainers most in need of legal aid.

Respectfully submitted,

Michelle Draeger, Executive Director
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