
**Testimony of Andrea Mancuso on behalf of the Maine Coalition to End Domestic Violence
In SUPPORT of LD 564: "An Act To Improve Access to Civil Legal Services"
Tuesday, March 21, 2023**

Senator Carney, Representative Moonen, and members of the Joint Standing Committee on Judiciary, I am writing on behalf of the Maine Coalition to End Domestic Violence (MCEDV)¹ to offer support for increased funding for Maine’s civil legal aid providers.

Access to legal representation reduces the probability of future domestic abuse and violence. We have long known that this access enhances the long-term safety of survivors and of their children. As noted in the 2016 report, “Economic Impact of Civil Legal Services in Maine,” more than 80% of the recipients of civil legal aid in Maine have an annual household income of less than \$25,000; 2/3 of these recipients are women; and more than 30% are aged 65 and older.² These are Maine’s most vulnerable communities – communities in which survivors exist in significant numbers. Many survivors rely on our court systems to attend to some aspect of their safety and stability. And the reality is that the vast majority of survivors are navigating our court systems without representation and often without having had an opportunity to even consult with an attorney. This leads to less successful outcomes and compromises safety efforts.

Maine’s Elder Justice Coordinating Partnership released a comprehensive Elder Justice Roadmap³ with many suggestions about how to better support seniors in Maine who experience elder abuse. It is incumbent upon Maine’s legislators to provide sufficient funding to support implementation of these important recommendations and allow for a cross-disciplinary approach to address the generational trauma that we see across Maine. Legal Services for the Elderly has been a leader in this effort, and greater support for their work will be essential to continued progress towards the goals outlined in the Roadmap.

¹ MCEDV serves a membership of eight regional domestic violence resource centers as well as the Immigrant Resource Center of Maine. Our member programs provided services to approximately 14,000 victims of domestic violence in Maine last year.

² Todd Gabe, Ph.D., *Economic Impact of Civil Legal Aid Services in Maine* (2016).

³ “The Maine Elder Justice Roadmap, An Initiative of the Maine Elder Justice Coordinating Partnership,” (December 2021), available at: https://www.maine.gov/dhhs/sites/maine.gov.dhhs/files/inline-files/EJCP_Roadmap.pdf.

The need for the services of the Immigrant Legal Advocacy Project (ILAP) has continued to grow as Maine has seen sustained increases in immigrants, refugees, and asylum seekers across the state. Our New Mainer population also includes a significant number of trauma survivors who continue to experience abuse at the hands of a family member. Securing the immigration relief they are eligible for in a timely manner is critical to supporting the safety and security of these survivors. And, as in all legal matters, survivors navigating immigration courts have greatest success when represented by an attorney. ILAP is the sole resource for that in Maine and is unfortunately in the position of turning away so many who qualify for services and who could benefit from their help due solely to insufficient state funding.

MCEDV also hopes that Maine Legislators will make significant progress this session towards addressing the reality that our family courts are not able to provide timely and effective responses to families in crisis. For survivors contemplating separation from the person who has been abusing them, a paramount concern is always what will ultimately happen with their children. When one parent uses abuse and violence against the other, “leaving” is often little more than a change in residence, as the children will remain a life-long tie. Survivors should be able to see our family courts as a resource to help them achieve safety and stability. For too many survivors in Maine, that is not the reality of their experience. Challenges faced by survivors as they navigate the family court include:

- Limited access to affordable legal representation.
- High caseloads for judges and magistrates lead to limited availability of the courts to timely hear contested issues.
- There is insufficient time and resources to ensure adequate training of court personnel on the myriad of complex issues the courts are confronted with.
- Guardians *ad litem* to support families in the family court process are out of reach for those without significant financial means. GALs are only available in two circumstances: when a family can afford to pay either an hourly rate or a set fee – often thousands of dollars; or where a GAL is willing to provide their services pro bono.

These challenges are particularly acute for survivors in rural Maine, where resources are even more scarce. We urge you to use your discretion as policymakers and appropriators to make headway on these longstanding challenges. Thank you for the opportunity to participate in this important conversation.

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