



March 17, 2025

Sen. Joseph Rafferty, Chair
Rep. Kelly Murphy, Chair
Joint Standing Committee on Education and Cultural Affairs
Maine State Legislature
100 State House Station
Augusta, ME 04333

Re: LD 884, Resolve, to Establish the Criminal Justice Legal Aid Clinic Pilot Project at the University of Maine School of Law

Dear Sen. Rafferty, Rep. Murphy, and Members of the Education and Cultural Affairs Committee:

On behalf of the Board of Governors of the Maine State Bar Association, we write to provide comments in support of *LD 884, Resolve, to Establish the Criminal Justice Legal Aid Clinic Pilot Project at the University of Maine School of Law*. Maine faces a significant backlog of pending criminal matters and desperately needs more criminal defense attorneys. LD 884 represents a forward-looking strategy to increase the number of criminal defense attorneys over the medium and long term.

About MSBA. The Maine State Bar Association is a statewide trade association chartered in 1891 by the Maine Legislature. The Association currently represents approximately 2,500 attorneys in the State in both public service and private practice. The Association maintains 28 separate sections covering nearly every field of law practiced in Maine, from Administrative Law to Workers' Compensation Law.

What does LD 884 do? LD 884 would provide one-time funding of \$1,000,000 to reestablish a 3-year pilot program for a criminal justice legal aid clinic within the University of Maine System.

Discussion. As has been widely discussed, Maine courts face a significant backlog of pending criminal matters. A major contributing factor to the backlog is Maine's critical shortage of criminal defense attorneys. All too often, Mainers accused of crimes, who are unable to afford an attorney, must wait weeks or months before a qualified attorney is available to take their case. Meanwhile, the Maine Bar is getting smaller due in part to retirements and not enough new lawyers coming up through the ranks. The problem is particularly acute in the rural parts of the State. We are keenly aware that Maine needs more lawyers to ensure sufficient access to justice, particularly for indigent criminal defendants.

LD 884's proposal to reestablish a criminal justice legal aid clinic is one way the state can help increase the number of lawyers able to take on criminal cases in the future. Many members of our Association, while studying at the University of Maine School of Law, participated in existing clinic programs and know firsthand the incredible learning opportunity that law school clinics provide. Reestablishing a legal aid clinic focused on criminal justice would help Maine Law train the next generation of criminal defense attorneys and grow the ranks of desperately needed defense attorneys in Maine. While the results of this investment would not be immediate, clinic programs intentionally handle a relatively small number of cases, Maine must think long term so that the current crisis does not persist.

Conclusion. Thank you for the opportunity to provide these comments in support LD 884. If you have questions or need additional information, please do not hesitate to let us know.

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Sincerely,



Susan Faunce
President, Board of Governors

cc: Angela Armstrong, Executive Director
Rachel Okun, Chair, MSBA Legislative Committee
James I. Cohen, Verrill Dana, LLP, Legislative counsel for MSBA