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Written Testimony of Maya Brown, in support of LD 891: An Act to Exclude Poverty as a Factor When Determining Instances of Willful Neglect or Abuse of a Child

Senator Ingwerson, Representative Meyer, and esteemed/distinguished members of the Health and Human Services Committee:

My name is Maya Brown, and I am both a guardian *ad litem* and a parents' attorney in child protective cases. I practice in Oxford, Androscoggin, and Kennebec County. I work in a small firm with two other attorneys who are also GALs and parents' attorneys. I came to this work right after I graduated law school because my goal was to keep children with their families whenever possible. What I found was a deeply harmful and confusing system for families to navigate, which as it currently exists investigates, substantiates, and removes far too many children from families who simply need help.

It is widely understood that one of the biggest issues facing the child protective system in Maine is both the lack of resource homes and the lack of caseworkers. The majority of my cases come from the Lewiston DHHS office, and the caseworker turnover currently is ongoing, extreme, and alarming. I went through my cases recently and out of all my current cases, all but 6 cases had a change in permanency caseworkers. It is the exception, not the rule, for there to be the same caseworker throughout the reunification portion of a case. I don't think it's a stretch to say that one of the primary factors driving caseworker turnover is extremely high caseloads that only get higher when others leave.

Anyone who is understaffed and overworked is at risk of jumping to conclusions. I see this over and over again in cases where a poverty issue is mistaken for neglect. Most often the phrase used in Jeopardy Orders and reunification plans is that the parent has "unstable housing" or a generalized inability to "meet the child's needs." I have seen experienced caseworkers do a wonderful job identifying when something is simply a poverty issue. The problem is when there are brand new caseworkers, who are usually new to a case and a family, with far too many cases and supervisors who are similarly overworked. They do not currently have the time or proper guidance to make crucial distinctions. This is the real strength of this bill and its proposed language. Having it clearly outlined in the Maine Statute that poverty shall not be equated with neglect gives GALs, parents' attorneys, *and* well-intentioned caseworkers the ability to use this definition to jointly advocate to filter out cases that should not be taking up time in the system.

As a State facing a child welfare crisis, we need to take every opportunity we can to narrow the front door of child protection. The extremely limited resource homes, attorneys, caseworkers, and supportive resources must be saved for the children who are being physically harmed or willfully neglected. This bill is a step in the right direction to solidify clearly this distinction.

Thank you,

Maya Brown