



## PINE TREE LEGAL ASSISTANCE, INC.

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### Testimony of Daniel Emery

Good afternoon Senator Carney, Representative Moonen, and members of the Judiciary Committee. My name is Dan Emery, I live in North Yarmouth and work in Yarmouth. I am Board Chair of Pine Tree Legal Assistance, and I am also a lawyer who does disability work and represents many low income clients myself. I bring both of those perspectives to my support of LD 564, An Act to Improve Access to Legal Services.


In my work, I almost never represent a client who can afford to pay an hourly fee. But if we are successful, they receive benefits, resulting in a lump sum from which I can receive a contingent fee. But these same clients have many other legal needs, just as important, which will not generate a fee. For those needs, for example housing, consumer, domestic violence, they need to turn to a civil legal aid provider. For that reason I have always felt I should support civil legal aid, and I feel the State should as well.

From personal experience, working with the Pine Tree Board, working with low income clients, and working directly with Pine Tree staff on some cases, I can make a few observations about civil legal aid.

First, the need is expanding. I recently visited a client living in a motel. I currently represent a client who Pine Tree helped with a horrendous mold problem in a rental unit. I recently represented a client who Pine Tree represented on a serious domestic violence matter. These problems are not going away, they are increasing. Civil legal aid providers have the resources now to only represent a fraction of those needing their help. LD 564 will help them keep pace with the expanding need.

Second, from working directly with civil legal aid providers, their work is exemplary. They are extremely thorough. They do not drop issues because they are not profitable, as some private lawyers do. They also do not drop issues that are outside a narrow range of expertise, as some private lawyers do. It is easy to say "I don't handle this type of case, you'll have to find someone else." I say that myself.

Civil legal aid providers in my experience take a holistic view, and if a client has a legal problem, they want to solve it. If they are not familiar with an area, they either educate themselves or look for someone with experience in the issue. That is because they care about the client, which is why they do this work.

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I have seen them solve very esoteric but important issues, such as overturning a decision that Iranian refugees were ineligible for SSI benefits because they allegedly owned a house in Iran (which they did not). I have also seen them secure Social Security retirement benefits for indigenous migrant workers by proving that their employers did not pay Social Security taxes, many years before. These are not issues for the easily discouraged. And these are just examples.

Civil legal aid providers are an invaluable resource for the State of Maine, and they are a scarce resource. I encourage you to pass LD 564, and make this irreplaceable resource less scarce.