

# BRIDGING THE JUSTICE GAP IN MAINE

## Now is the Time to Invest in Civil Legal Aid

The familiar phrase “with liberty and justice for all” states our core value that in a truly free society justice must be accessible to everyone.

Justice for all requires investment in both criminal and civil legal services. In criminal cases, the accused has a right to a lawyer. **There is no such right to counsel in civil legal cases**, even though such problems can threaten people’s livelihoods, health, or families in profound ways. Every year, **thousands of Mainers must face civil legal problems without help**, including foreclosure, eviction, property disputes, domestic abuse, probating estates, financial exploitation, disability discrimination in housing, education and employment, and more.

**Most low-income Mainers face at least one civil legal issue each year** that cannot be fairly resolved without legal advice or effective legal advocacy.<sup>1</sup> When people wrestle with the complexities of legal issues and the courts on their own, the promise of equal justice under the law remains unfulfilled: people who face serious legal issues without a lawyer have worse outcomes from the court system, with less fairness and increased costs for all involved.

**The goal of civil legal aid is to provide help to everyone who needs to understand and act upon their legal rights and responsibilities but is unable to afford legal counsel.** Unfortunately, the legal needs of many Mainers in civil matters go unmet.

This year, we must take steps to fulfill the promise of equal justice by investing more in civil legal aid services throughout the state. That investment will put real money back into our local economy and change people’s lives for the better.<sup>2</sup>

**Maine needs to sustain current funding levels and invest more in civil legal aid.** Without legislative action in 2025, Maine’s legal aid providers will be forced to cut legal services – at a time when more civil legal services are needed to meet people’s legal needs across the state.

### This investment would:

- ✓ Preserve existing legal aid capacity and avoid significant cuts in legal services.
- ✓ Increase intake capacity and provide free legal help to more households across the state each year, and address the legal needs of tens of thousands of households through impact litigation and administrative advocacy.
- ✓ Increase education and outreach efforts to people with legal needs, expand client-facing technology tools, and improve self-help to reach and assist even more people in need of legal help.

### Maine’s Civil Legal Aid Providers...

- ✓ **Offer a range of legal assistance**, from representation, advice, and legal self-help tools to advocacy that advances and protects the legal interests of similarly situated groups of low-income people.<sup>3</sup>
- ✓ Are virtually the **sole source** of legal representation for over 360,000 low-income Mainers.
- ✓ Provide legal help to people facing many of **life’s crises and turning points**: the custody of a child, the loss of a home, essential services to veterans, financial exploitation, the need for asylum, domestic violence, unemployment, food insecurity.
- ✓ Avert the pitfalls of **addressing legal problems without legal training**, which is like acting as your own doctor in the hospital.
- ✓ Provide direct legal services that result in tangible cost saving to our state and an influx of millions of dollars into Maine’s economy.<sup>4</sup>
- ✓ Streamline the court system and **cut down on court costs**, by moving cases that must be in court more quickly and by resolving matters outside of court or other formal proceedings.

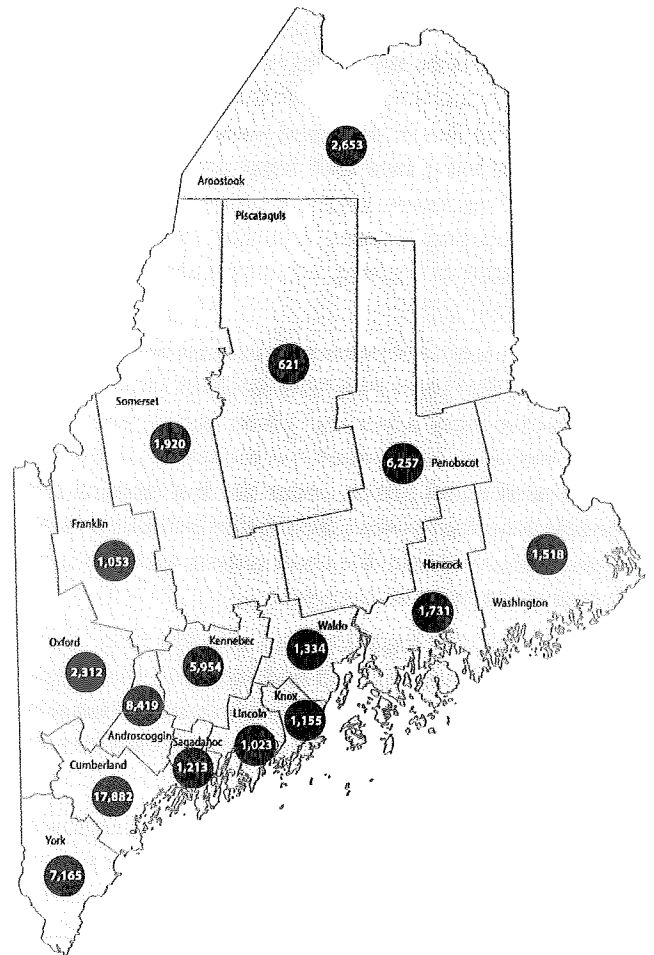


# Maine's civil legal aid providers represent thousands of Maine residents each year in all 16 counties.

## Civil legal aid providers:

- ✓ **Serve those who have served:** Maine has the highest percentage of veterans living in rural areas in the United States. Veterans need and deserve information about their rights under federal and state law as well as legal advocacy to enforce those rights. These legal services are not available from traditional veteran service organizations.
- ✓ **Address the housing crisis in Maine:** Maine landlords are represented in more than 80% of eviction cases, while tenants are represented less than 20% of the time. In eviction cases, tenants with an attorney are much more likely to avoid an eviction, which is the leading cause of homelessness. Legal aid providers have developed resources for people facing eviction, and are advancing solutions to ensure that housing is accessible to every Maine resident. Between 2019 and 2023, providers have seen a significant increase in demand for services on housing related issues.
- ✓ **Support people who need Protection from Abuse (PFA):** The civil legal system can help address survivors' needs for safety, to seek justice, and to protect their children. Having legal representation makes a significant difference in the outcome of protection from abuse cases. In one study, 83% of victims represented by an attorney successfully obtained a protective order, as compared to just 32% of victims without an attorney.<sup>5</sup> Protecting people from ongoing violence is also a good investment.<sup>6</sup>
- ✓ **Help for low-wage immigrants:** Legal aid providers are assisting Mainers who are immigrants to enter or re-enter the workforce and make ends meet. They are assuring that people seeking asylum meet their one-year filing deadlines, and are helping immigrant victims of domestic violence who are trapped in abusive relationships.
- ✓ **Streamline access to affordable health care:** Providers have assisted hundreds of Mainers across the state to access the health care coverage they need to stay safe and well.
- ✓ **Help respond in times of crisis:** Civil legal aid providers have stepped up time and again to help Mainers keep their homes during the foreclosure crisis, avoid homelessness during the affordable housing crisis, and find critical information and resources after the mass shooting in Lewiston. A stable civil legal services community is essential for the state's ability to weather times of trouble and volatility.

Between 2020 and 2023 Maine's Legal Aid providers represented thousands of Mainers facing crises in all 16 counties.



In addition to representing Mainers through direct legal assistance from 2020-2023, systemic legal advocacy had 856,798 positive impacts on Mainers across all counties in significant ways.<sup>7</sup>

1. Justice for Some: Assessment by Maine's Legal Aid Providers, 2016; The Essence of Liberty Report by the Justice Action Group, 2014, located at: [https://www.americanbar.org/content/dam/aba/administrative/legal\\_aid\\_in-digent\\_defendants/ATJReports/ME\\_2014\\_Report.pdf](https://www.americanbar.org/content/dam/aba/administrative/legal_aid_in-digent_defendants/ATJReports/ME_2014_Report.pdf).

2. <https://www.justicemaine.org/wp-content/uploads/Gabe-Report-Submitted-November-14-2016.pdf>

3. In Maine, Cumberland Legal Aid Clinic of the University of Maine School of Law, Disability Rights Maine, Immigrant Legal Advocacy Project, Legal Services for Maine Elders, Maine Equal Justice, Maine Volunteer Lawyers Project, and Pine Tree Legal Assistance collaborate, cooperate, and share resources to provide access to justice for tens of thousands of Maine people in need of legal help. In 2023, these seven legal aid providers served over 17,000 households and impacted many more thousands of Mainers across all 16 counties.

4. Maine Civil Legal Aid Services Fund Commission Report to the Joint Standing Committee on the Judiciary, 2020-2023; Individual reports of the six civil legal aid providers to Maine Civil Legal Services Fund (MCLSF). MCLSF's 2024 report is expected in Feb. 2025.

5. Jane Murphy, Engaging with the State: The Growing Reliance on Lawyers and Judges to Protect Battered Women, 11 Am. U. J. Gender Soc. Pol'y & L. 499, 511-12 (2003).<sup>32</sup> Liz Elwart et al.

6. Cora Peterson, et al, Lifetime Economic Burden of Intimate Partner Violence Among U.S. Adults, 55 Am. J. Prev. Med. 433 (Oct. 2018), available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6161830>

7. Systemic advocacy includes administrative advocacy with state agencies and impact litigation in the courts.