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**Testimony of Tom Fritzsche, Pine Tree Legal Assistance
Before the Appropriations and Financial Affairs Committee and the
Committee on Health and Human Services**

In Support of Appropriations to Fund Essential Civil Legal Services for Victims of Crimes

February 24, 2025

Good afternoon, Senators Rotundo and Ingwersen, Representatives Gattine and Meyer, and esteemed members of the Appropriations and Financial Affairs Committee and the Committee on Health and Human Services.

My name is Tom Fritzsche, and I am the Executive Director of Pine Tree Legal Assistance. Maine's Department of Health and Human Services distributes federal Victims of Crime Act (VOCA) funds, including, this year, state appropriations to supplement federal dollars, to service providers through detailed contracts with performance measurements. The funded services include advocacy and support provided through Domestic Violence Resource Centers, Sexual Assault Support Centers, Victim Witness Advocates, and more. In recent years, Maine DHHS has distributed approximately 15% of the total Violence Prevention Program VOCA funds to civil legal service providers to ensure that victims can access individualized civil legal help. These funds make it possible for Pine Tree Legal Assistance and Legal Services for Maine Elders to continue serving low-income Mainers who have suffered domestic violence, sexual assault, stalking, and elder abuse.

I am here to testify in support of the Initiative on page A394 of the proposed biennial budget that would dedicate \$3 million to sustain services for victims of crime that are also funded in part by federal VOCA funds. This line in the proposed biennial budget is a good starting point, but it is only about half of what the service providers will need to maintain current service levels. Pine Tree and Legal Services for Maine Elders support this appropriation and further believe that increasing this line item to \$6 million, which Maine appropriated for the current fiscal year, is the only way to avoid tragic reductions in services.

Pine Tree and LSE provide free legal services to low-income people throughout Maine. Our staff handle cases in all 16 counties, in all 27 district courts, and in the courts of the Passamaquoddy Tribe and Penobscot Nation. Our two organizations, along with other legal services providers, have also appeared before the Appropriations and Financial Affairs Committee to share more about the broad scope of needs that civil legal services organizations meet.

Today, I am here to focus on the civil legal services that Pine Tree Legal Assistance and Legal Services for Maine Elders provide as part of our state's VOCA-funded network protecting victims of crimes, funded in large part by VOCA contracts. Our work serving victims is not to prosecute crimes, nor is it to provide criminal defense for people who have been accused of crimes. Rather, our work is to provide direct civil legal advice and representation to victims, taking into account their individual safety needs and legal rights and remedies.

Maine's Network of Victim Services Resources

Legal assistance from Pine Tree and LSE forms part of the network of resources available to survivors throughout the state. Pine Tree receives most victim referrals directly from the children's advocacy centers, domestic violence resource centers, and sexual assault support centers. LSE receives most of its requests for assistance directly from victims of elder abuse. LSE also receives client referrals from the rest of the network. When contacted directly by a victim, LSE's first steps include connecting that victim with the local domestic violence resource center.

Civil Legal Representation for Survivors

Attorneys in Pine Tree's statewide Family Law and Victim Rights Unit represent survivors of domestic violence, sexual assault, and stalking. In 2024, Pine Tree handled 1,326 civil legal cases for survivors. This is about 18% of Pine Tree's total cases for 2024. Almost half of our work in the Family Law and Victim Rights Unit is supported by VOCA (Victims of Crime Act) funds, which have, in particular, allowed Pine Tree to help child victims referred by the Children's Advocacy Centers (CACs) and to expand our services to clients in rural areas and in Maine's smaller courthouses. In the most recent twelve-month VOCA reporting period, LSE helped 336 older Mainers who faced abuse and/or financial exploitation. While that is only 10% of LSE's total cases in that period, these are some of the most resource intensive cases that LSE handles.

In protection from abuse actions, like other civil cases, survivors have no Constitutional right to court-appointed counsel. Although the people we help in these cases are victims of crime, they often look to the civil legal system to address their needs for safety, to seek justice, and to protect their children. VOCA funding allows Pine Tree to represent people in Protection from Abuse, family matters like divorce and parental rights, and Title IX cases. VOCA funding allows LSE to help victims by restoring personal safety and recovering stolen assets, including the person's home, income stream, and savings.

Having legal representation makes a big difference in the outcomes for victims. One study found that 83% of victims represented by an attorney successfully obtained a protective order, as compared to just 32% of victims without an attorney.¹

Protecting people is also a good investment, not only by stopping the immeasurable harms of fear and pain that people suffer, but also by reducing monetary harm. For example, a Muskie School of Public Service study found that older Mainers suffered losses of at least \$74 million dollars as a result of financial exploitation occurring over the seven-year period covered by the study. This did not take into account the cost of public benefits and protective and other support services required by the people who were victimized.

Client Story: Escaping after a Decade of Violence and Threats

The story of a recent client from Penobscot County, whom I will call Jane, helps illustrate what we do and how it helps people in Maine. Jane had been through horrific physical, sexual and emotional abuse over many years from her former fiancé. On multiple instances, in fear for her life, she had escaped from him for short periods and even fled to other states to seek safety. However, after a few weeks or sometimes months, her fiancé always tracked her down and forced his way back into her life.

After years of this abuse, and a particularly disturbingly violent episode, the abuser was arrested and incarcerated. However, he continued to stalk and threaten Jane from jail using various methods of communication and intimidation.

Jane found Partners for Peace and Rape Response Services, which are members of the Maine Coalition to End Domestic Violence and the Maine Coalition Against Sexual Assault, respectively. They completed a detailed intake to learn what Jane was suffering and, as part of their effort to provide holistic support to Jane, they determined that legal representation was an essential component of what she needed. They then referred the case to Pine Tree Legal Assistance.

One of the attorneys who works in the Pine Tree Legal office in Bangor took the case. The attorney convened meetings of the local multi-disciplinary High Risk Response team, including members of the local domestic violence and sexual assault support centers and local and federal law enforcement. The team worked with Jane to develop a plan to keep her safe in the short term and planned for her safety when the abuser was eventually released from jail.

Pine Tree's attorney filed a successful complaint in District Court for Protection from Abuse. Protection from Abuse orders are issued by Maine courts after considering evidence at a hearing. In these protection orders, based on the evidence, judges set particular conditions for the person

¹ 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).

subject to the order and to protect the person requesting the order. Judges can require the person subject to the order to follow protections like, for example, not to hurt, threaten, or have contact with the victim; to stay away from the victim's home, school, business or workplace; not to stalk the victim; or not to take, sell or damage any property that belongs in part or in whole to the victim. These are not criminal punishment, but civil protections enforced through the legal system that make victims safer and prevent future harm.

In Jane's case, the Court granted the Protection from Abuse order for two years. The abuser then filed three frivolous cases against Jane for various protection orders and even for eviction from her home. We represented Jane and defeated each baseless legal claim against her.

Because of the severity and longevity of the violence that Jane had suffered, we filed a motion in court asking to extend the protection order. After a day-long contested hearing, in which our client bravely recounted more than a decade of abuse, the court extended her protection order into the future. The abuser immediately filed an appeal to the Maine Supreme Judicial Court challenging the protection order extension. We represented Jane in the appeal, and the Maine Supreme Court ruled in Jane's favor and upheld the protection order extension.

Protection was Jane's primary goal, but it was not her only legal problem. During the years of abuse, our client purchased a home and the abuser's name was also on the deed. He sued Jane to force the sale of her home and demanded the proceeds of the sale. We represented Jane, and, on the eve of a contested trial, reached a settlement giving our client 100% ownership of her home. After a total of seven cases and four years of litigation at all levels of the court system, Jane has her long-term safety protected by a court order and has the freedom of stable housing that her former abuser can no longer control.

Client Story: Finding Safety from Elder Abuse

I want to share one more client story before I close and respond to questions. Mary was in her 70's and living alone in a rural and isolated area. She let her adult son move in with her on a temporary basis after he was evicted from his apartment and had nowhere to go. Soon after he moved in, trouble started. He routinely belittled Mary, called her crazy, and threatened to institutionalize her. He repeatedly asked for and sometimes stole money. When he drank, he became threatening. Mary was living in constant fear right in her own home. She was beginning to wonder if she had no choice but to move out, but she did not have anywhere to go.

Matters came to a head one afternoon when her son came home drunk, and she tried to keep him from entering the house. He forced his way in, slamming the door into her, injuring her leg. Mary called the police, but when they came, her son convinced them she was just a delusional old woman who had taken yet another fall. She tried to tell the officer what was really happening, but her son thwarted her attempts to get the truth out.

But the story doesn't end here. Mary sought help from LSE. An LSE attorney obtained a

Protection from Abuse order and had the son removed from Mary's home. Mary is safe in her home today because she got legal help when she needed it. Mary's attorney was there when she needed them, ready to believe her and stand up for her rights.

I hope that this helps illustrate the impact our legal services have for people all over Maine who have faced violence and abuse and need help to make our legal protections a reality in their lives so they can look ahead to a better future. Every day across the state, our attorneys are standing up to keep our clients safe and ensure that Maine's laws protect people in their hours of need.

The Legislature's support for these services is as important as ever, so that we can continue representing Maine survivors. The \$3 million in funding included in the Initiative in the biennial budget is important, but without an increase to \$6 million, survivors like Jane and Mary will not be able to get the help they need in the future. Without legal representation, survivors will be stuck in abusive situations with no way to find freedom, protection and justice. Thank you for your time and your dedication. I welcome your questions.

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