

**University of Maine System Testimony In Support of
LD 884, Resolve, to Establish the Criminal Justice Legal Aid Clinic Pilot Project at the
University of Maine School of Law — Presented by UMS Chief External &
Governmental Affairs Officer Samantha Warren — March 17, 2025**

Senator Rafferty, Representative Murphy, and distinguished members of the Joint Standing Committee on Education & Cultural Affairs: My name is Sam Warren and I am the Chief External & Governmental Affairs Officer for the University of Maine System (UMS). On behalf of the University of Maine School of Law, I am here in **support of LD 884, which would re-establish a Criminal Law Clinic at Maine Law as a three-year pilot project.**

In recent weeks, you have heard from Chancellor Malloy and me about the turnaround of Maine's only and public law school under the leadership of Dean Leigh Saufley and with the investment and support of our System and the State. Thank you. You have also heard about the incredible impact Maine Law has in addressing the acute need for indigent legal services, with our second and third-year law students specially licensed to practice under court rules as "student attorneys" providing more than 17,000 hours of pro bono legal services annually to low-income Mainers.

Now in its 55th year, the Clinics at Maine Law (formerly known as the Cumberland Legal Aid Clinic) houses clinical programs focused in distinctive areas, including General Practice, Protection from Abuse, Prisoner Assistance, Youth Justice, and Rural Practice. **In the vast majority of cases, our student attorneys assist their clients in civil legal matters — not criminal ones.** This is because much of the funding that supports the clinics comes from sources solely dedicated to civil legal aid, like the Maine Civil Legal Services Fund and IOLTA (Interest on Lawyers' Trust Accounts).

Maine's need for criminal defense attorneys, especially for those unable to afford counsel, is a crisis. Just this month, the Kennebec County Superior Court ruled that the State is violating the Sixth Amendment and that it must drop charges against criminal suspects who have been jailed for more than 60 days without access to a public defender.

The bipartisan LD 884 is an important step toward a comprehensive statewide solution. The bill would provide \$1 million for Maine Law to restart a Criminal Justice Clinic, a focus the law school has lacked for nearly a decade due to its financial and faculty limitations. **Reviving the Criminal Law Clinic builds on Maine Law's strength and our students' interest and would provide two significant benefits for our state.**

First, it would **deliver immediate pro bono legal assistance** in an area of law for which there is desperate need. To put numbers to this crisis, Chief Justice Valerie Stanfill recently noted in her State of the Judiciary address to you that there were 998 criminal,

post-conviction review, and juvenile cases still waiting for assigned counsel at the end of calendar year 2024.

Maine Law students, serving under the supervision of clinic faculty, who are licensed to practice in Maine and have a thorough understanding of the area of law involved, are able to act as attorneys for multiple clients. With an average of six students, plus the faculty lawyer, in the Criminal Law Clinic each semester (plus two summer students) each taking on clients, their presence in the courts and your communities would be a major force multiplier. We estimate that in addition to the 17,000+ hours of free legal assistance already provided each year through the existing clinics, **Maine Law could provide an additional 3,160 hours annually focused on the criminal law crisis** that the state is currently grappling with during the three-year pilot funded by this bill.

Second, a **Criminal Law Clinic would add to Maine Law's ability to inspire students' interest in criminal law and prepare them through high-impact, hands-on experiences for excellence in criminal practice**, whether as a defense attorney or a prosecutor. It would also signal to all of Maine Law's students the importance of this area of practice to the leaders in Maine. And, after three failed employment searches due to noncompetitive salary, it would help our law school be more competitive in the recruitment and retention of a faculty member focused on criminal law.

The Students for the Sixth Amendment is one of Maine Law's most vibrant student organizations, and we are proud that our students are highly engaged and effective in the few criminal cases they do get to take on through the current clinics. LD 884 will expand our students' opportunities to prepare for meaningful careers in criminal practice and Mainers' access to constitutionally required counsel and justice. **Please help Maine Law be a part of the solution to the current and ongoing criminal defense crisis.**

Thank you for your ongoing support of the University of Maine System and its law school. I welcome your questions