
**Testimony of Andrea Mancuso, on behalf of the Maine Coalition to End Domestic Violence
In SUPPORT of LD 950: "An Act to Prevent Domestic and Sexual Abuse of Children and
Increase Access to Protection from Abuse Orders by Allowing Children to File Protection
from Abuse Orders on Their Own Behalf"**

Before the Joint Standing Committee on Judiciary, Monday, March 17, 2025

Senator Carney, Representative Kuhn, and members of the Joint Standing Committee on Judiciary, I am writing on behalf of the Maine Coalition to End Domestic Violence (MCEDV)¹ in support of LD 950.

Increasing Access to Protection from Abuse Orders

1 in 3 adolescents is a victim of physical, sexual, emotional or verbal abuse from a dating partner, a figure that far exceeds rates of other types of youth violence. 10% of Maine high schoolers who had dated someone in the past year report a partner physically hurt them on purpose at least once. Maine is one of only 11 states that expressly prohibit minors from filing civil protection orders themselves. Many teens who need and want to access the protection order process under Maine's current statute do so without incident. But there have been examples of times where a teen has needed to access the process and been turned away for not being able to bring the right adult. There is inconsistent practice in what type of adult our courts will allow to file on behalf of a minor.

Many other states allow teens to have direct access the civil protection order process. As an attorney who has practiced in one of those other states, I offer you some perspective of what this looks like, and what it does not. Removing barriers for teens to access the protection from abuse statute when they need to for safety does not result in gaggles of 14 year olds descending on the courthouses to capriciously file against their peers (or their parents) for small slights. In practice, minors face a number of other barriers, such as financial resources, transportation, and time. They would infrequently be positioned to be able to navigate the court process without some kind of supportive adult. Removing the access barrier, in practice, allows a minor to be supported by an adult in their life who is, at

¹ MCEDV serves a membership of eight regional domestic violence resource centers as well two culturally specific service providers. Together, these programs provided services to more than 12,000 victims of domestic violence in Maine last year, including court advocacy services in the civil and criminal courts.

that moment, positioned to be supportive of their safety needs. This is, most often, a parent or guardian, but sometimes, for very good reason, it is not.

Additional procedural guardrails can be put in place. For example, some states require a parent or legal guardian to receive a copy of the filing, unless the court finds good cause to order otherwise.

Updating Domestic Violence Advocate Privilege

LD 950 also asks the Legislature to align the structure of the domestic violence advocate privilege statute (Section 53-B) with that of the sexual assault advocate privilege statute (Section 53-A) to better account for the nature of the workload of the staff at Maine's domestic violence service providers.

These statutes were created many years ago, when domestic violence programs were smaller and all staff had, as a primary function with the program, responsibilities for providing direct services to victims. As community intervention for domestic violence has grown, and awareness in the community of the services available at Maine's regional domestic violence resource centers (DVRCs) with it, agency staffs are larger than they were in the early 1990's, and much of the workload is divided into more specialized buckets. For example, some staff at the DVRCs might have, as the majority of their focus, administrative work, or youth and community education schedules. Direct service with and for victims would represent a minority of their work. Yet, every staff member and volunteer working with Maine's DVRCs, regardless of primary job function, receives 40 hours of foundational training that is needed to ensure they can provide trauma informed, valuable services to victims in crisis. And all staff and volunteers, regardless of their primary function, have the capacity to, and do, answer the 24/7 helpline.

All staff and volunteers of domestic violence services providers are required by federal law to keep information confidential. These federal laws include the Violence Against Women Act, the Victims of Crime Act, and the Family Violence Services and Prevention Act. This is also required regardless of primary job function. Maine's sexual assault advocate privilege is structured to respond to that reality, to extend privilege to any staff member or volunteer, so long as that person has completed baseline training. Maine's domestic violence advocate privilege needs to be brought into the 21st century to have a similar structure.

As always, thank you for the opportunity to share our perspective. MCEDV and our member programs look forward to continuing to engage with legislators, representatives from the judiciary and other interested parties on these important issues.

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