



April 17, 2025

Sen. Anne Carney, Chair
Rep. Amy Kuhn, Chair
Joint Standing Committee on the Judiciary
Maine State Legislature
100 State House Station
Augusta, ME 04333

Re: LD 1022, An Act to Protect and Increase Access to Justice in Civil Legal Matters for Persons with Low Incomes

Dear Sen. Carney, Rep. Kuhn, and Members of the Judiciary Committee:

On behalf of the Board of Governors of the Maine State Bar Association, we write to provide comments in support of *LD 1022, An Act to Protect and Increase Access to Justice in Civil Legal Matters for Persons with Low Incomes*. Access to civil legal aid is critical for low-income Mainers forced to navigate the legal system. LD 1022 would prevent drastic cuts to existing aid levels and would provide funding for a much-needed expansion of services available to low-income Mainers.

About MSBA. The Maine State Bar Association is a statewide trade association chartered in 1891 by the Maine Legislature. The Association currently represents approximately 2,500 attorneys in the State in both public service and private practice. The Association maintains 28 separate sections covering nearly every field of law practiced in Maine, from Administrative Law to Workers' Compensation Law.

What does LD 1022 do? LD 1022 increases the funding for civil legal services for individuals with income below 200% of the federal poverty level by allocating \$6.4 million for FY 26 and \$9.5 million for FY 27. The bill also requires the Judiciary Committee to hold biennial hearings concerning the Civil Legal Services Fund Commission's annual report and make recommendations to the Governor and the Appropriations and Financial Affairs Committee regarding future funding for civil legal aid.

Discussion. Access to justice is an important issue for our Association and our members. Lawyers and law firms throughout the State contribute generously to broaden access to justice – both financially, and through offering pro bono legal services. However, the need of Mainers for legal aid is great, and more support for civil legal services is needed for those Mainers who cannot otherwise afford counsel. Civil legal aid providers, who largely rely on funding from private donations, provide low-income Mainers with critical legal services for matters involving evictions, family law, child support and custody issues, foreclosures and many others. However, these donations are still insufficient to meet all of the needs of indigent Mainers.

In recent years, the Legislature has stepped up and provided critical contributions to the Civil Legal Services Fund. The additional funding enabled legal assistance for more Mainers, but even with this support from the Legislature, legal aid providers are unable to fully meet the growing need for legal services in our State. Turning to this biennium, the recently adopted Part One Budget sets funding for civil legal services at \$1.3 million per year going forward. Without additional allocations, Maine's civil legal aid providers will fall further behind on their efforts to meet the civil legal service needs of Mainers. Of course, LD 1022 seeks funding beyond the amounts previously allocated by the Legislature, which we understand is challenging in a year where state revenues are falling behind all of the needs in the biennial

MSBA Comments re LD 1022

April 17, 2025

Page 2

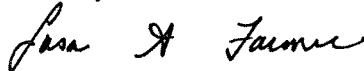
budget. That said, this additional funding represents a critical need for Maine people who are desperate for civil legal services that impact their lives and the lives of their families. These needs range from simple wills and trusts to ensure that families are protected, to real estate or foreclosure matters, contract disputes, or family law matters.

The National Center for Access to Justice recommends that states have at least 10 legal aid attorneys per 10,000 people living below 200% of the poverty line. Our Association understands that the current ratio in Maine is about 3 legal aid attorneys per 10,000 low-income individuals. Increasing funding in accordance with LD 1022 would enable legal aid providers to hire additional attorneys and significantly increase the capacity to represent low-income Mainers confronted with life-altering legal proceedings.

In expressing our support for additional funding for civil legal services, however, we are mindful of the fact that support for civil legal services should in no way reduce or supplant the State's ongoing constitutional obligation to support indigent legal services through the Maine Commission on Public Defense Services. Despite some recent increases in funding in recent years, such services are still underfunded by the State, and there is a tremendous need to increase State support to ensure that the necessary legal services are delivered to indigent Maine people. In short, our support for LD 1022 is in the spirit of "and," not "or." Maine needs to adequately fund civil legal services *AND* criminal defense services for indigent Maine people.

Conclusion. Thank you for the opportunity to provide these comments in support LD 1022. If you have questions or need additional information, please do not hesitate to let us know.

Sincerely,



Susan Faunce

President, Board of Governors

cc: Angela Armstrong, Executive Director
Rachel Okun, Chair, MSBA Legislative Committee
James I. Cohen, Verrill Dana, LLP, Legislative counsel for MSBA