Maine Civil Legal Services Fund Commission

Report to the Joint Standing Committee on the Judiciary

123rd Legislature, Second Regular Session

February 1, 2008

Commissioners:

Janis Cohen
4 Gilman Road Extension
Standish, Maine 04084
207-892-4567
(Appointment through 1/1/10)

David Fletcher
P.O. Box 402
Calais, Maine 04619
207-454-7641
(Appointment through 1/1/08)

Paul Chaiken
Rudman & Winchell
84 Harlow Street, P.O. Box 1401
Bangor, Maine 04402
207-947-4501
(Appointment through 1/1/09)

MAINE CIVIL LEGAL SERVICES FUND COMMISSION

January 24, 2008

Barry J. Hobbins, Senate Chair
Deborah L. Simpson, House Chair
Joint Standing Committee on the Judiciary
100 State House Station
Augusta, Maine 04333-0100

RE: 2007 Report of the Maine Civil Legal Services Fund Commission

Dear Senator Hobbins and Representative Simpson:

I am pleased to submit the Annual Report of the Maine Civil Legal Services Fund Commission to the Joint Standing Committee on the Judiciary. Low-income citizens and needy elderly in Maine continue to benefit from the efforts of the civil legal services providers supported by this Fund.

We shall continue to monitor the good work performed by the recipient providers to ensure that the funds of Maine Civil Legal Services Fund are utilized in a manner that will most efficiently and effectively maintain and enhance access to justice in our State. On behalf of all persons benefited by this Fund, I thank you for your legislative support.

Respectfully submitted,

Janis Cohen, Esq., Chair
Maine Civil Legal Services Fund Commission

Enclosure
cc: David Fletcher, Esq., Commissioner
Paul Chaiken, Esq., Commissioner

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Introduction

The Maine Civil Legal Services Fund was established by the Legislature in 1991, following the 1990 report of the Maine Commission on Legal Needs, and in response to reductions in funding that jeopardized access to legal services in Maine. That report stated, among other things, that:

- More than 230,000 people in Maine live in poverty
- These individuals require access to the civil justice system in order to share fully in our society
- The poor cannot afford to pay for the legal services essential to access to justice
- The free civil legal services provided by public funding and the substantial voluntary efforts of the private bar are wholly inadequate to meet the needs of the poor

Since its inception, the Maine Civil Legal Services Fund (MCLSF or the Fund) has played a critical role in sustaining access to justice for Maine citizens in need. The Maine Civil Legal Services Fund Commission is pleased to submit the 2007 annual report of the MCLSF to the Joint Standing Committee on the Judiciary for its review. The report details the activities of the nine legal services providers supported by the Fund in 2007: Cumberland Legal Aid Clinic, Immigrant Legal Advocacy Project, Legal Services for the Elderly, Maine Center on Deafness, Maine Equal Justice Partners, Maine Volunteer Lawyers Project, Penquis Community Action Program Law Project, Pine Tree Legal Assistance, and York County Community Action Corporation's Access to Justice Program.

Commission Allocation Decision

During the calendar year of 2007, the three-member Commission authorized the distribution of $1,713,282.65. The allocation and distribution of funds were as follows:

Organization	Allocation	Distribution
Maine Center on Deafness	$20,000	$20,000.00
York County CAP Access to Law Project	$20,000	$20,000.00
Cumberland Legal Aid Clinic	7%	$117,129.79
Immigrant Legal Advocacy Program	2%	$33,465.65
Legal Services for the Elderly	19%	$317,923.70
Maine Equal Justice Partners	14%	$234,259.57
Maine Volunteer Lawyers Project	6%	$100,396.96
Penquis CAP Law Project	5%	$83,664.13
Pine Tree Legal Assistance	47%	$786,442.85

Thousands of Low-Income Maine People Served

The legal services providers supported by the MCLSF provided direct services and/or representation to over 42,000 individuals in Maine in 2007, and impacted over 330,000 individuals who receive benefits from public benefit programs. The providers assisted people in a wide range of civil legal matters including housing, health care, family issues, protection from harassment, domestic violence, employment, immigration, education, consumer issues, income maintenance, and individual rights. Hundreds of thousands of low-income families in Maine were served by the providers' work in administrative advocacy and class action litigation, which seeks to achieve systemic reform in programs and public assistance such as TANF, MaineCare, prescription drug coverage, Food Stamps and services for dislocated and low-wage workers.

Each of the providers augments its work to meet the needs of its client population through efforts in outreach and education. Collectively, the nine recipient providers reached over 11,500 low-income individuals with training and education sessions on specific topics of concern. They also disseminated over one million informational resources, legal forms, and applications, either directly or through the Internet. The web continues to be a critical tool in providing education, resources, and direct client assistance. "Visits" to the providers' websites increased substantially; there were over 5,500,000 visits to the websites of Pine Tree Legal Assistance, the Maine Volunteer Lawyers Project, Legal Services for the Elderly, Maine Equal Justice Partners, and the Immigration Legal Advocacy Project in 2007. Individuals visiting the sites are searching for information about specific programs, services, and benefits, as well as forms and other self-help assistance. Pine Tree Legal Assistance reports an increase of approximately 400% above 2006 totals. Approximately 1,075,900 PDF files were downloaded from Pine Tree Legal's websites and approximately 27,778 PDF files were downloaded from VLP's websites, including interactive pleadings and legal forms, pamphlets, the food stamp calculator, and child support guidelines.

MCLSCF Sustains Access to Justice in Maine

Funds from MCLSF are integral to preserving access to justice in Maine. The funds provide core support to each of the nine organizations that received MCLSF support in 2007, enabling them to maintain a base of legal services in Maine. For example, Pine Tree Legal reports that MCLSF support represents 20% of its total program budget for direct service to low income Mainers; VLP reports that MCLSF provides 16% of overall funding; Cumberland Legal Aid Clinic reports that MCLSF provides approximately 22% of its funding; and Maine Equal Justice Partners reports that MCLSF funded approximately 29% of its operational budget for 2007. Further, MCLSF funding demonstrates sustainability to other funders that may be willing to support specific services and initiatives of each of the providers. To that end, the providers have been increasingly resourceful over the years in identifying grant opportunities and securing funds that can be used to support specific projects and maximize access to legal services throughout the state. Funding from such discretionary sources can be

unpredictable, but coupled with stable support of MCLSF, the legal services providers have been able to provide services statewide and conduct initiatives targeted to specific populations in need.

For example, MCLSF-funded providers have an impact throughout the state through:

- Pine Tree Legal's fully staffed offices in Portland, Augusta, Lewiston, Bangor, Machias, Presque Isle, an attorney assigned to the York County Shelter in Alfred, and four special projects described below
- Maine Volunteer Lawyers Project offices in Portland and Bangor and its statewide Hotline, staffed by non-attorney volunteers in its Portland office
- Legal Services for the Elderly offices in Augusta, Bangor, Lewiston, Presque Isle and Scarborough, as well as the LSE Helpline and outreach conducted throughout the state
- Maine Equal Justice Partners representation of low-income individuals in the courts and administrative advocacy that has resulted in expanded access to health care, educational supports for families on TANF who want to pursue secondary education, and improved access to food stamp benefits for thousands of low-wage families
- Cumberland Legal Aid Clinic staffed by 43 third year law students in 2007 who represented low-income individuals in Cumberland, York, Sagadahoc, Androscoggin, Southern Oxford counties Penobscot and Washington counties
- Immigrant Legal Advocacy Project's legal services, education and outreach to low-income non-citizens and their U.S. citizen family members from offices in Portland
- Maine Center on Deafness from its offices in Portland via on-site consultations, TTY, Relay and VideoPhone calls, and email
- Penquis CAP Law Project providing family law representation to low-income individuals in Penobscot, Piscataquis, Knox and Waldo counties
- York County Community Action Corporation's Access to Justice Program in Biddeford, Sanford and Kittery providing assistance to self-represented litigants in family law matters

And through targeted initiatives, examples of which include:

Pine Tree Legal Assistance:

- A project to address homelessness in York County
- KIDS LEGAL based in Portland with a staff attorney in Bangor to provide legal assistance focused on the special needs of low-income children
- The Farmworker Unit based in Bangor and provides legal assistance to individuals working as migrant farmworkers in Maine
- The Native American Unit based in Bangor that also uses part-time staff support from field offices in Machias and Presque Isle to provide legal assistance to Native Americans who are members of Maine's four federally recognized tribes as well as off-reservation tribal members
- Support of victims of domestic violence and representation in high conflict divorce cases particularly in southern Maine

- Support for *pro se* litigants, including the development of legal education materials and other "do it yourself" tools available from its offices on online at its program websites

Maine Volunteer Lawyers Project:

- Utilizing law students and pro bono attorneys to provide limited advice and representation via the Family Law Helpline
- Providing both limited and full representation via the Domestic Violence *Pro Bono* Panel
- A Family Law Forms Clinic operated at the Portland District Court
- Providing brief statewide services via a telephone Hotline staffed by non-attorney volunteers

Legal Services for the Elderly:

- A Medicare Part D Appeals Unit
- The Senior Medicare Patrol Program
- Services provided as part of the State Health Insurance Counseling Program
- On-going services to clients via Helpline, brief services, direct representation and client education and outreach

Maine Equal Justice Partners:

- Administrative advocacy in rulemakings including (i) MaineCare rules regarding the definition of medically necessary, tamper-proof prescription pads, the Medicare Savings Program regarding prescription drug assistance, citizenship and identity rules, assets and estate recovery, and substantiation rules regarding child abuse and neglect, (ii) DirigoChoice proposed rules regarding definitions of uninsured and underinsured, (iii) Food stamps rules including the Food Stamp Work Program, Transitional Food Assistance, and Food Stamp for Purchase of Food in Restaurants; (iv) Temporary Assistance to Needy Families, (v) Consumer predatory lending rules, (vi) Higher Education Competitive Skills Scholarship Program, (vii) Employment issues regarding limited English proficiency, and (viii) Housing and utility issues
- Representation of the Maine Association of Interdependent Neighborhoods
- Monitoring compliance of on-going class action settlements
- Developing legislative recommendations regarding homelessness prevention and way to improve access to general assistance
- Training, outreach and education with low-income groups and social service providers regarding program rules and benefits

Cumberland Legal Aid Clinic:

- A Prisoner Assistance Clinic, supported in part through a contract with the Department of Corrections, to assist prisoners with civil legal matters, such as family, custody, consumer and other issues
- A Juvenile Justice Clinic in which supervised students work with troubled youth on a number of levels, and provides legal representation to children with pending

matters in the Maine Juvenile Court in Southern Maine, provides legal information and advice to homeless teens and young adults through the Preble Street Resource Center, and conducts policy work that benefits children statewide

- A Domestic Violence Initiative, has been funded in part by the MCLSF and a grant from the Department of Justice, through which students provide legal assistance to victims of domestic violence in Lewiston, however, federal funding for this program is no longer available and the Clinic expects that in 2008 its domestic violence work will be supported by the MCLSF

Immigrant Legal Advocacy Project:

- An Immigration Clinic offering brief intervention, extended assistance or full legal representation
- Use of a *pro bono* panel of volunteer lawyers to augment ILAP's capability
- Education and outreach for immigrant community members and service providers offering trainings on, among other things, domestic violence prevention, and immigration laws and procedures
- Impact projects to address issues that impact high numbers of noncitizens in Maine to improve the quality of their lives and reduce the numbers of persons who need direct legal representation, including participation on the Limited English Proficiency Task Force addressing court access issues, meetings with other stakeholders and the Commissioner of Public Safety, Chief of Maine State Police and the State Attorney General's office to discuss apparent increases in racial profiling of Latinos by law enforcement personnel

Maine Center on Deafness:

- A Civil Rights Program provides intake and individual legal representation to clients who are Deaf and Hard of Hearing
- Civil Rights Program attorneys participating in a cross-disciplinary group subsidized by the Maine Department of Labor to advocate for Deaf and Hard of Hearing citizens throughout Maine

Penquis CAP Law Project:

- Providing consultations and legal representation to individuals who have experienced domestic violence, sexual assault or stalking
- Assisting low-income *pro se* parties with various legal issues

York County Community Action Corporation's Access to Justice Program:

- A Legal Advocate providing assistance and education to *pro se* family law litigants
- Making referrals to appropriate community agencies and legal service providers

The Funding Need Continues to be Acute

While this report highlights the accomplishments of the nine legal services providers that received MCLSF funds, there remain significant areas of unmet legal need.

It is estimated that Maine's legal service providers are able to serve less than 1 in 4 of the low income households with legal needs. For about 85% of the households that do receive assistance, it may not be adequate – only a brief service or consultation is provided, and the individuals must still proceed without an attorney. Roughly 75% of all litigants in the civil justice system are not represented by counsel. However, without the assistance of the MCLSF, access to justice would elude far more low-income people in the state.

Conclusion

In an era of growing needs and varying resources, the Maine Civil Legal Services Fund remains a vital component of funding for Maine's legal services system for low-income individuals. As illustrated throughout the reports that follow, each of the legal services providers that received MCLSF funds continues to provide exceptional services to individuals in need throughout the state, maximizing the assets available to them and leveraging other resources when possible. They are committed to maintaining a stable network of services and an infrastructure of support by combining efforts when possible. The legal services providers rely upon and greatly appreciate the support from the Maine Civil Legal Services Fund, which helps preserve and enhance access to justice in Maine.

REPORT TO THE MAINE CIVIL LEGAL SERVICES FUND COMMISSION

BY THE MAINE CENTER ON DEAFNESS CIVIL RIGHTS PROGRAM

ANNUAL REPORT JANUARY 2007

The Maine Center on Deafness ("MCD") is pleased to submit this annual report to the Maine Civil Legal Services Fund Commission ("the Commission") regarding the services MCD's Civil Rights Program provided utilizing the Commission's generous grant in 2007. As in the past, the support of the Maine Civil Legal Services Fund (the Fund") was integral to MCD's ability to ensure that Deaf, Hard-of-Hearing and Late-Deafened people in Maine had representation and assistance in gaining equal access to, and preventing discrimination in the offering of, the services and benefits offered in Maine.

i. Types of cases handled by the organization as a result of money received from the Fund.

Over the past year, the Civil Rights Program at MCD has handled a wide variety of types of cases relating to Maine's Deaf and Hard of Hearing citizens, in total representing 180 individual in ongoing legal matters. MCD's attorneys have received hundreds upon hundreds of phone calls, TTY calls, VideoPhone calls, Relay calls, e-mails and walk-in client visits over the past year, and have faithfully endeavored to answer each and every question posed concerning civil rights for our clients.

MCD's attorneys assisted in a significant number of legal matters concerning disability discrimination in the workplace and at public accommodations, litigating these matters at the Maine Human Rights Commission (five cases), the United States Postal Service (two cases), the Social Security Administration (one case), the Maine Unemployment Commission, and in Maine District Court. MCD attorneys also have pursued and resolved numerous disputes to client satisfaction without needing litigation.

Aside from actual "cases", or contested matters, MCD spoke daily with Deaf and Hard of Hearing clients, their families, and the professionals who work with them regarding the clients' rights under Maine and federal laws. As part of this service, MCD attorneys regularly informed physicians, landlords, attorneys, dentists, courts, educational institutions, banks and employers about their legal responsibility to provide effective communication (usually via sign language interpreter). MCD attorneys also helped Deaf clients get court-appointed attorneys for which they might not otherwise qualify, informed parents about their rights under the Individuals with Disabilities in Education Act and helped them prepare for Pupil Evaluation Team meetings, and helped Deaf clients address consumer complaints that are particularly troublesome for the Deaf, such as internet fraud.

Oftentimes, MCD attorneys helped Deaf and Hard of Hearing clients understand and clarify what their legal problems actually were, and directed or referred them to other

attorneys, a situation which often arose concerning Worker's Compensation issues, Unemployment Insurance issues, and Social Security issues. In so doing, MCD provided much-needed education to a portion of the public whose isolation from everyday communication left them largely unaware of their basic rights. Further, insights of attorneys well versed in the application of the ADA to the unique issues related to Deafness allowed MCD to play the vital role of gatekeeper for Maine's legal system.

A review of the MCD database (*see* Section vii below), which specifies the nature of each matter worked on in 2007, gives a detailed picture of what issues arose for MCD's Civil Rights Program lawyers last year. Employment remains a frequent topic for our representation – in 2007 we opened two new employment-related cases that involved federal employers and 28 new employment-related cases that involved private employers. Ten other new cases involved federal agencies' benefits or accommodations. In past years, our single biggest area of litigation and representation has been public accommodations and denials of reasonable accommodations. That topic was a frequent issue in 2007 as well, as MCD opened 45 new cases involving public accommodations in 2007. This past year, though, claims against state and local government agencies have been the single biggest area of litigation and representation; MCD took in 60 new matters involving state, local and county governments in 2007. With respect to issues, a need for and denial of interpreter services is still the greatest problem faced by our clients – out of 133 new cases opened, 42 related to denials of interpreter services.

Reviewing the subject matter of the cases MCD handled in 2007 demonstrates that one of the predictions MCD made in its 2006 annual report to the Commission has come to pass. With the addition of a new Civil Rights Program manager who is knowledgeable regarding educational rights for those with disabilities has come an explosion of referrals for education cases from cooperating agencies. In 2007, MCD handled 16 cases concerning educational rights.

ii. The number of people served by the organization as a result of money received from the Fund.

MCD's database actually documented receiving 216 "intakes" – contacts about new matters from clients – specifically for the Civil Rights Program. MCD as a whole referred 307 new intakes to the Civil Rights Program. Since MCD's attorneys routinely answer questions regarding legal issues and civil rights at meetings and in impromptu formats that do not result in the creation of a new "intake" for the tracking program, the actual of number of people served in 2007 greatly exceeds 307. This is a significant increase in intakes from 2006, a year in which the Civil Rights Program took in 134 new intakes.

These intakes and referrals resulted in 133 new cases being opened within the Civil Rights Program. This also represents an increase in services delivered from 2006. In addition to serving new clients, MCD continued to handle 47 open cases carried forward from 2006, resulting in direct legal representation to a total of 180 clients in 2007.

It is worth mentioning that the lawyers from the MCD Civil Rights Program have other contractual obligations from state contracts that keep them busy, but which are not funded with Fund monies. MCD Civil Rights Program attorneys attended meetings quarterly for the Deaf Rights Group ("DRG"), a cross-disciplinary group helmed by MCD and subsidized by the Maine Department of Labor's Division of Deafness. The purpose of the DRG is to advocate for all Deaf and Hard of Hearing citizens around Maine, across all agencies, with one voice. MCD's Civil Rights Manager is a Member At Large of the Division of Deafness Advisory Council, and in that capacity was frequently asked to contribute civil rights and other legal expertise on behalf of the Deaf and Hard of Hearing. The same is true when MCD Civil Rights attorneys attended meetings of the "American Sign Language News" ("ASL News"), a monthly forum MCD holds around the state for Deaf and Hard of Hearing clients. Finally, and not least, during the last full Legislative session (ending in summer 2007), the MCD Civil Rights Program manager spent significant amounts of time advocating on behalf of Deaf, Hard-of-Hearing and Late-Deafened consumers at the Legislature. MCD testified on 14 bills, and was a particularly strong advocate for passage of LD 1514, a mandate for health insurers in Maine to provide hearing aid coverage for Maine's children. Even after the session ended, MCD Civil Rights Program attorneys continued to participate in legislatively-created work or study groups on 4 bills, a process that is ongoing even now. All of this important work for systemic change that benefits Maine's Deaf and Hard-of-Hearing persons – which is, again, not paid for by Fund dollars – is in addition to the individual representation MCD's Civil Rights Program offers utilizing Fund monies.

iii. Demographic information about the people served as a result of money received from the Fund.

Maine's Deaf and Hard of Hearing populations tend to have disproportionately high rates of mental health issues, whether as a result of isolation, depression, histories of abuse, educational deprivation, or decreased communication opportunities. During 2007, MCD opened new civil rights cases on behalf of at least 27 Deaf or Hard of Hearing clients with mental health issues, at least nine consumers with mental retardation, and at least six clients who were unable to communicate using sign language. Although the Civil Rights Program does not screen our clients' incomes, almost all are considered to have low incomes as a result of limited or no employment, lack of educational opportunities, and lack of communication and learning opportunities.

It is also worth noting that virtually all of the Deaf clients assisted by the MCD Civil Rights Program lawyers are not native English speakers – commonly, the native language for Deaf persons is American Sign Language. ASL is not signed English, so often working on legal issues with Deaf consumers can be time-consuming and complex, as some legal terms and theories simply have no equivalent in ASL. MCD lawyers spend a significant amount of time each year assisting Deaf consumers in understanding legal documents they receive, even if they do not present pending civil rights matters.

iv. The geographical area actually served by the organization as a result of money received from the Fund.

MCD does not track Civil Rights Program intake contacts by county, so this report cannot identify how many civil rights questions MCD's attorneys answered for Deaf and Hard of Hearing clients around the state. During 2007, MCD actually handled civil rights cases on behalf of clients in every single one of Maine's counties:

	2006 Cases	Cases Opened	Total in 2007
No County	0	7	7
Androscoggin:	0	9	9
Aroostook:	1	1	2
Cumberland:	15	50	65
Franklin:	1	0	1
Hancock:	0	1	1
Kennebec:	10	9	19
Knox:	0	2	2
Lincoln:	1	1	2
Oxford:	0	3	3
Penobscot:	9	11	20
Piscataquis:	1	2	3
Sagadahoc:	2	1	3
Somerset:	0	4	4
Waldo:	0	4	4
York:	6	23	29
Out of state:	1	5	6

MCD is actively working to serve its clients in areas of Maine that are remote and/or underserved by public service organizations. Using the existing ASL News program, MCD is reaching out to remote locations to encourage clients around the state to view MCD as a resource. In 2007, MCD held monthly ASL News sessions around the state to increase our geographic reach. Given the increase in intakes and cases from 2006, our outreach approach seems to be working.

v. The status of the matters handled, including whether they are complete or open.

Of the 180 cases that were open at some time in 2007, 127 were resolved. MCD met the clients' needs in 85 cases and referred clients to other counsel in 3 cases. In 13 cases, the clients withdrew. The remaining 26 cases appear in MCD's database as unspecified resolutions. MCD currently has 53 open cases.

The complexities of working with and on behalf of Deaf and Hard of Hearing clients also should be mentioned here. The legal matters that affect Deaf and Hard of Hearing clients are frequently multifaceted, and researching those laws, such as state and

federal laws restricting the right of Deaf drivers to operate commercial motor vehicles, can be time-consuming. Meeting and/or communicating remotely (via TTY, phone with Relay, or videophone) with our clients can be extremely challenging, and explaining complex legal issues through an interpreter means that attorney-client relations take quite a bit more time than they might for hearing clients. Those factors should be considered when reviewing the 2007 reporting.

vi. Whether and to what extent the recipient organization complied with the proposal submitted to the Commission at the time of application for funds.

As stated in MCD's application for funds in November 2005, MCD's Civil Rights Program intended to "use the funds to continue to provide individual legal representation for our clients and to expand and improve the services we already provide." We have complied with that intent. When MCD was applying for funds in November 2005, we had recently experienced an increase in client intakes as more clients learned of the Civil Rights Program. This increase did continue during 2007, as anticipated. MCD handled approximately 307 Civil Rights Program intakes or referrals, which developed into 133 new Civil Rights Program open cases. Combined with the 47 Civil Rights cases that carried over from 2006, MCD handled 180 open cases during 2007. MCD's commitment to individual legal representation has not wavered.

MCD's application further stated our hope that the sought-after funds would help us "better serve our clients by representing our clients to the conclusion of the cases without requiring the involvement of outside counsel." We have done that throughout 2007. Of the 180 cases MCD handled in 2007 (whether carried over from 2006 or new in 2007), MCD only referred three to outside counsel. MCD referred three cases out because, after developing the cases at MCD, it appeared that damages might be available, which made the cases more attractive to private attorneys. Additionally, MCD's application stated that "funds from the Commission would be used toward salary, additional hours, training, legal reference, interpreter services, and hopefully access to web based legal research, such as Westlaw." MCD's use of the Commission's funds has been in conformity with that intent, as MCD has utilized the Commission funds toward attorney salary, legal research, and attorney professional training.

vii. Outcomes measurements used to determine compliance.

MCD has a network system to monitor intakes and cases for the various services it provides.[1] Each MCD employee inputs data when receiving contacts by phone, Relay, videophone, or walk-in documenting the contact and its content. Our system tracks intakes by subject matter, by department of referral, by county, by issue, and in several

[1] In addition to Civil Rights, MCD also has a number of other programs that provide community support to Deaf and Hard of Hearing clients, such as the Telephone Equipment Program, the Emergency Notification System Program, a Peer Support Group for Deaf persons with mental retardation, a Visual Gestural Communication group for Deaf persons who do not use traditional sign language communication, community outreach, and other information and referral services.

other manners. It also tracks actual cases opened or resolved, and the nature and date of each resolution. This system applies to all of MCD's programs, including the Telephone Equipment Program, the Emergency Notification System program, the Civil Rights Program, the Communications and Outreach program, which often cross-pollinate intakes and matters between programs.

Looking at the detailed reports created by this system (cases per advocate, client problems by issue, number of cases by issue, a client-by-client listing, cases for clients with mental health or mental retardation or lack of signing ability) assists the Civil Rights Program in ensuring that our workload is appropriately apportioned and proceeding in an efficient manner. Additionally, MCD's other contracts – with the Maine Department of Labor[2] and the Maine Department of Health and Human Services[3] – require quarterly reporting that keeps MCD's Civil Rights Program on track through the year.

Conclusion

As a direct result of the funding provided by the Commission, MCD's Deaf and Hard of Hearing clients benefited greatly from improved legal representation by the Civil Rights Program. Without the Commission's continued confidence in MCD's Civil Rights Program, Maine's Deaf and Hard-of-Hearing populations will lose the only legal advocates with expertise in Deafness and hearing loss that they have.

MCD's lawyers are committed to these populations and their particular issues and needs. That commitment and the expertise that develops with sustained attention to the Deaf and Hard-of-Hearing are hard-won but invaluable to our clients. With the Governor's budget curtailments, and upcoming Department of Labor bidding processes, MCD's Civil Rights Program is facing an uneasy budgetary future. In this time of uncertainty, the Commission's continued support for MCD is absolutely critical – without it the very existence of MCD's Civil Rights Program would be in jeopardy.

Respectfully submitted,

/s/ *Amy M. Sneirson, Esq.*

Manager, Civil Rights Program
Maine Center on Deafness

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[2] MCD learned last week that the advocacy contract it has with the Maine Department of Labor will be put out to bid in a Request for Proposal for FY 2008-2009 and 2009-2010. MCD will submit a bid for that contract, which provides for the great majority of funding for MCD's Civil Rights Program.

[3] MCD learned in December 2007 that its contract for advocacy with the Maine Department of Health and Human Services, worth approximately $42,585 per fiscal year, is subject to the Governor's announced budget curtailment. We have been told that our DHHS funding for the Civil Rights Program for FY 2007-2008 will effectively cease as of March 2007, and that the DHHS funding for our Civil Rights Program is likely to be statutorily terminated for FY 2008-2009. We are unsure as of yet as to how our operations will be affected by the curtailment and proposed funding changes (*i.e.,* whether we can continue funding 1.5 attorneys).

To: Maine Civil Legal Services Fund Commission
From: The Access to Justice Program
Date: January 15, 2008
Re: Maine Civil Legal Services Fund Annual Report
January – December 2007

Overview of the Access to Justice Program:

York County Community Action Corporation's *Access to Justice Program* provides assistance to self-represented litigants in family law matters, with the goal of assuring that these individuals have the information, assistance, and advocacy required to ensure a positive and productive experience with the judicial system, and that they are connected to other resources as needed to promote family stability and/or economic independence. The Access to Justice Program is comprised of one staff member, a Legal Advocate, who is available to assist with court paperwork and to explain the court procedures for divorce, parental rights, post-judgment motions, guardianship, and other family law related matters. She provides services three days per week in our Biddeford office, one day in Sanford, and one day per week in Kittery. If needed, a home visit can be scheduled. Our Legal Advocate assists individuals in filling out forms, notarizes and makes copies for them, and explains the various ways in which service may be accomplished on the opposing party. Individuals are given directions about filing the paperwork, how long to expect to wait for a hearing, and what to expect when they go to court. If mediation is required, the Legal Advocate explains the role of a mediator, how the mediation will be conducted, and how individuals should prepare themselves. The Legal Advocate is also available for follow-up questions as the case proceeds. YCCAC has an attorney on staff with experience in family law, who serves as a resource for the Legal Advocate.

Program Report:

As a result of funding received by the Maine Civil Legal Services Fund Commission, which pays for a portion of the Legal Advocate's salary, services were provided to 948 unduplicated clients, during 1797 office visits or phone calls. Of note:

* Nearly 40% were office visits to complete court paperwork or explain court procedures.

* The remainder were phone calls to complete paperwork, explain procedures, assist with additional motions, discuss rights and responsibilities, or provide information and referral.

* A significant percentage of queries pertain to divorce or parental rights; other topics include guardianship, adoption, and small claims.

* Nearly 65%, or 605 individuals, were referred *by* the Court, Pine Tree Legal, Cumberland Legal Aid, VLP, or attorneys. The remainder were referred by YCCAC staff, other providers such as DHHS and Caring Unlimited, or other clients via word of mouth.

* 248 individuals, or approximately 26%, were referred *to* civil legal service providers such as Pine Tree Legal Assistance, Legal Services for the Elderly, Cumberland Legal Aid, other attorneys, etc.

* 61% had incomes equal to or less than 125% of the Federal Poverty Guidelines; 72% had incomes less than 185% of the Poverty Guidelines; and 95% had incomes less than 200%.

Geographic Area Served:

ACTON	23	BUXTON	51	KENN'PORT	15	NEWFIELD	9	SANFORD	306
ALFRED	16	CORNISH	11	KITTERY	89	NO.BERWICK	26	SHAPLEIGH	13
ARUNDEL	20	DAYTON	11	LEBANON	56	OGUNQUIT	1	SO.BERWICK	35
BERWICK	36	ELIOT	24	LIMERICK	24	OOB	103	WATERBORO	62
BIDDEFORD	324	HOLLIS	25	LIMINGTON	23	PARSONSFIELD	26	WELLS	33
		KENNEBUNK	46	LYMAN	29	SACO	165	YORK	28

OTHER TOWNS 83 OTHER STATES 84

TOTAL: 1797 OFFICE VISITS OR PHONE CALLS

Evaluation and Outcome Measurement:

As stated in YCCAC's proposal to the Civil Legal Services Fund Commission, the Access to Justice Program is small, but the outcomes can be significant. Some of the legal problems confronted by low-income individuals do not require the direct services of an attorney, which they usually cannot afford, but can be resolved by assistance with paperwork and education about legal procedures and the legal system.

The goal of the program is to *assure that these individuals have the information, assistance, and advocacy needed to ensure a positive experience with the judicial system, and that they are connected to other resources as needed to promote economic independence.*

Objective: The Access to Justice Program will provide 800 low-income York County individuals with *pro se* assistance in family law matters, including referrals to attorneys as required, and advocacy throughout the process. *During 2007, 948 unduplicated individuals were provided assistance, including 249 referrals to legal service providers, and 82 referrals to other agencies or resources.*

Anticipated Outcomes:

(1) Individuals provided services will be adequately prepared to represent themselves in court or to negotiate a settlement through mediation.

One method to measure this outcome is to survey the Clerks of Court regarding adequacy of client preparation to represent themselves in court, and we do this annually. In the fall of 2007, we received the following responses:

"Paperwork is filled out correctly and completely, alleviating the need for correction and time spent explaining what something means to clients... they understand the process and know what to expect." "Invaluable! The Court would be lost without this resource.....it makes a huge difference when people arrive with paperwork filled out and more importantly- procedural questions answered... clients seem more prepared – again their questions and concerns are addressed ahead of time." "Papers come in with fewer errors and the clients have fewer questions."

2) Individuals provided services will be connected to a comprehensive network of other programs and resources as needed.

249 individuals were referred to a legal service provider, and an additional 82 were referred to a wide range of other resources and services, e.g. Caring Unlimited, DHHS, Disability Rights Center, Southern Maine Agency on Aging, and the myriad of programs and services offered through York County Community Action.

3) Additional Note on Outcome Measurement:

In order to begin to measure longer-term outcomes, such as improved financial or family status, staff also conducted a survey of 50 clients who, between January 2005 and June 2007, went to court to obtain either a Motion to Modify Child Support or a Motion for Contempt and to Enforce. The following are highlights of the survey.

Of the 27 individuals reached either via telephone or by mail:

- 20 individuals stated that they were able to resolve the situation through the court or through mediation.

- Only 7 individuals reported however that the results achieved had a positive impact upon their financial status (for example, down payment on a mobile home because of a lump sum divorce settlement, or an actual increase of monthly income). Several respondents cited non-compliance or irregular compliance with respect to court-ordered payments.

- 2 individuals reported a positive outcome in terms of family goals (for example, gaining visitation rights).

CUMBERLAND LEGAL AID CLINIC

UNIVERSITY OF MAINE SCHOOL OF LAW
246 Deering Avenue, Portland, Maine 04102
Local: 780 4370 ·Toll Free [877] 780 2522
FAX: [207] 780 4541 ·TTY:[207] 780 5646

January 15, 2008

Via Electronic and Regular Mail

Janis Cohen, Esq.
Chair, Maine Civil Legal Services Fund Commission
Vice President and Managing Counsel, Investments
UNUM
2211 Congress Street, C474
Portland, Maine 04122

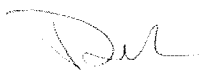
RE: Annual Report to the Maine Civil Legal Services Fund Commission

Dear Janis:

On behalf of the Cumberland Legal Aid Clinic at the University of Maine School of Law, I am writing to thank the Maine Civil Legal Services Fund Commission for its ongoing support of our program and to provide a year-end report on the work of the Clinic during 2007.

Please do not hesitate to let me know if you have any questions or if there is any further information I can provide.

Sincerely,



Deirdre M. Smith
Associate Professor of Law and
Director, Cumberland Legal Aid Clinic

Enclosure

cc: Dean Peter Pitegoff

University of Maine School of Law
Cumberland Legal Aid Clinic
Year End Narrative Report
January – December 2007

OVERVIEW OF THE PROGRAM

The Cumberland Legal Aid Clinic is pleased to submit this narrative report on the developments and services provided in 2007 as a result of support received from the Maine Civil Legal Services Fund ("the Fund").

Established in 1969, the Clinic is a program of the University of Maine School of Law and provides legal services to low-income individuals in Maine. It is staffed by third-year law students specially licensed under the court rules to practice under faculty supervisors who are experienced members of the Maine Bar. The Clinic's mission is two-fold: educating law students through an intense, high-quality clinical and mentoring experience while providing pro bono legal services to indigent Maine citizens.

The Clinic serves clients with legal matters pending in state, probate and federal courts in Cumberland, York (Alfred, Biddeford and Springvale courts), Androscoggin, and Sagadahoc Counties. On a more limited basis, the Clinic provides assistance to prisoners incarcerated in the Maine state prison system state-wide. Cases in the Supreme Judicial Court and federal courts may arise anywhere in the state.

Most individuals qualify for our services when: (1) their household gross income falls within our financial guidelines; (2) the court is within our geographic service area; and (3) we have openings for new clients.[1] Because our resources are very limited, the Clinic cannot accept every case that meets our eligibility requirements. The Clinic staff conducts the initial screening of clients to determine eligibility; the student attorneys complete the intake process. Because the Clinic is not able to help all eligible individuals, other considerations in accepting the case are:

- client need
- availability of a student attorney
- availability of alternate sources of legal services or assistance
- Clinic's ability to provide quality representation
- amount of Clinic resources required to represent the client in the matter
- educational value of the case.

As a general matter, the Clinic provides legal services only to low-income residents of Maine (defined as having an adjusted income under 125% of the Federal Poverty Level). The Clinic has four distinct programs, described below, each of which has its own target population.

A total of forty-three students enrolled in Clinic courses during 2007. In addition, MCLSF funds enabled the Clinic to hire four law students this summer to work as full-time

[1] The eligibility requirements are somewhat different for the Prisoner Assistance, Juvenile Justice and Domestic Violence programs, but each serve indigent clients almost exclusively.

interns (a fifth summer intern was hired with funds designated for the Juvenile Justice Clinic). As a result, the Clinic was able to provide much-needed representation to individuals on a year-round basis.

The bulk of the legal services provided through the Clinic are by students enrolled in the **General Practice Clinic**, which is a six-credit litigation clinic. Each semester, the General Practice Clinic enrolls up to twelve to fifteen students, each of whom represent from five to ten individuals. The General Practice Clinic provides full representation, at both the trial and appellate levels, to low-income people living in Southern Maine with any of a broad range of litigation-related matters. The majority of the General Practice Clinic's cases involve family law and domestic matters, but students may also work on state and federal cases involving criminal, juvenile, probate, and miscellaneous civil issues. Our priorities for representation in the General Practice Clinic include clients with whom we have worked in the Domestic Violence Program and other limited representation programs of the Clinic, referrals from the Immigrant Legal Advocacy Project and other legal services providers who are unable to provide assistance, and referrals from area courts who have identified litigants as having a particularly acute need for quality legal representation in their legal matters.

This past year the Clinic continued its work providing civil legal services to those incarcerated in the Maine prison systems through its **Prisoner Assistance Clinic**, a three-credit clinical course, enrolling up to five students each semester, with an emphasis on interviewing, counseling and providing unbundled legal services on a wide range of issues. The Prisoner Assistance Clinic provided legal information, advice, and, in some cases, full representation to nearly two hundred prisoners incarcerated in the Maine state prison system. This work is supported in part by a contract with the Department of Corrections, and to a great extent by the Fund. The Prisoner Assistance Clinic law students go to the Maine Correctional Center in Windham every week to meet with prisoners with civil legal matters. Prisoners in other facilities are served through correspondence and telephone calls. All of the eligible prisoners requesting civil legal services were provided with at least advice and counseling if not limited or full representation.

The **Juvenile Justice Clinic**, a new program launched in the fall 2006, enrolls up to five students each semester, who work under the supervision of one faculty member, and who have the opportunity to work with troubled youth on a number of levels. The Juvenile Justice Clinic provides legal representation to children with pending matters in the Maine Juvenile Court in Southern Maine, provides legal information and advice on a wide range of matters to homeless teens and young adults through the Preble Street Resource Center, and conducts policy work that benefits children state-wide.

All students enrolled in the Clinic courses or working as summer interns participate in the **Domestic Violence Program**, through which students attend the protection from abuse docket calls in Lewiston, and represent any victims there who need representation. That program receives top marks from the students, the courts, and clients alike. The Clinic represented 238 victims in 2007 in protection from abuse matters in Lewiston District Court. The Clinic provided such representation in 2007 primarily through support from the Abused Women's Advocacy Project and, to a lesser extent, the Fund. The support through AWAP, which was derived from federal funds, is no longer available. Therefore, in 2008 the Clinic expects that its domestic violence work will be supported to a much greater extent by the Fund.

INFORMATION REQUESTED BY THE COMMISSION

The Fund provided approximately 22% of the funds used by the Clinic for its programs in 2007 and approximately one-half of external funds received. The Fund is the Clinic's largest single source of external funding. Accordingly, the Clinic relies upon money received from the Fund for nearly all of the programs described above.[2] In 2007, the Fund provided the resources by which the Clinic was able to hire a third faculty supervisor and to operate the Clinic on a year-round basis by hiring four student interns this summer to cover the ongoing cases. Therefore, absent the support provided by the Fund the Clinic would be approximately two-thirds its present size. These funds also enable us to purchase training and legal research materials for our Clinic library and other important expenses (such as travel to court, printing, and mail) directly related to providing legal services. Through the Clinic, the Fund has directly supported the training of young lawyers in Maine's strong pro bono tradition, and enabled hundreds of Maine's poor to have access to justice.

1. *The types of cases handled by the organization as a result of money received from the Fund;*

Family law (not including Protection from Abuse proceedings) comprised more than 60% of the Clinic's General Practice and Prisoner Assistance caseloads in 2007 (a total of 269 cases). The Clinic handled a total of 238 Protection from Abuse cases, for a total of 507 family-related cases last year. The family law caseload, however, is varied. While the majority of cases in the General Practice Clinic, for example, involve petitions for parental rights and responsibilities, child support and divorce, the Clinic has taken on an increasing number of cases involving guardianship, termination of parental rights, de facto parents, and grandparents' visitation. Other areas of civil legal services in the General Practice Clinic included public benefits, consumer law, collection defense, employment discrimination, administrative appeals, housing, small claims, protection from harassment, wills/estates, power of attorney, and several other miscellaneous issues. The Prisoners Assistance Clinic addresses an even wider range of civil legal issues. In addition to all of the above categories, the Prisoner Assistance Clinic student attorneys assisted clients with matters involving taxes, paternity, contracts, adoption, wage claims, name changes, bankruptcy, and immigration.

2. *The number of people served by the organization as a result of money received from the Fund;*

In 2007, the Clinic provided civil legal assistance to a total of approximately 593 individuals.[3]

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[2] The Clinic does some work in the areas of criminal and juvenile law, and those clients (a total of approximately 80 cases) have not been included in the client totals for this report, although some of these clients, particularly the juvenile clients, also had civil legal matters for which we provided assistance.

[3] We have excluded from our calculations a significant number (141) of prisoners with whom we had some contact but who were not eligible for our services due to their case type, the prisoner did not follow up after an initial contact, the Clinic had a conflict of interest or there was some other reason that services were not provided. We

3. *Demographic information about the people served as a result of money received from the Fund;*

The primary demographic information tracked by the Clinic is the client's county of residence. Approximately one-third of our clients reside in Androscoggin County, 40% reside in Cumberland County; 7% in York County, and significantly smaller numbers in Franklin, Kennebec, Knox, Oxford, Penobscot, Sagadahoc and Washington counties.[4]

4. *The geographical area actually served by the organization as a result of money received from the Fund*

Because the legal work is performed entirely by law students who are also enrolled in other law school courses, the Clinic's geographic coverage is limited to courts within a one-hour drive of the Law School in Portland. Therefore, we serve clients with cases in Portland, Biddeford, Springvale, Lewiston, Auburn, Bridgton, Alfred, West Bath and Bath courts. However, the Clinic serves clients on a more limited basis throughout the state through the Prisoner Assistance Clinic.

5. *The status of the matters handled, including whether they are complete or open;*

The Clinic had 145 cases open at the start of 2007. During the year the Clinic opened 562 new cases and closed 551. The Clinic has 165 cases open at this time. With the start of the new semester in January 2008, we expect to take on several new clients in the next few weeks.

6. *Whether and to what extend the recipient organization complied with the proposal submitted to the Commission at the time of the application for funds;*

The Clinic has complied in all respects with the proposal submitted in November 2005. The Clinic has maintained or expanded all programs described in the proposal and has added a new program (the Juvenile Justice Clinic) as well. The Clinic's central focus of providing high-quality full representation to low-income individuals has remained unchanged, while the Clinic continues to develop innovative ways to serve an even larger group of individuals on a more limited basis.

7. *Outcomes measurements used to determine compliance.*

The Clinic tracks data regarding its cases through the same case management system used by many of the other legal services providers. Using this data-tracking software, the Clinic is able to review the type and volume of cases handled each year. The caseload size is a direct

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have also excluded from our count the individuals, totaling over 1700, who contacted the Clinic for legal assistance last year by calling or walk-in and who were provide referrals to other agencies due to a lack of available openings..

[4] These numbers include clients in our Prisoner Assistance Project, who are incarcerated in several locations throughout the state. In some instances the prisoners do not have a true "home" county, in which case we list the county of their correctional facility.

result of student enrollment, which can be dependant upon the number of Clinic faculty supervisors, as well as overall law school enrollment.[5]

CONCLUSION

In closing, the faculty, staff, and students of the Cumberland Legal Aid Clinic wish to express their appreciation for the continued support of the Maine Civil Legal Services Fund, without which our program would be severely limited in its ability to serve its dual mission of providing much-needed legal services to chronically under-served populations while educating the next generation of attorneys. The continued cut-backs in state funding for higher education renders the Clinic more reliant on external sources of funding to continue its work at current or higher levels. The Fund is also a particularly valuable source of support as it allows the Clinic the flexibility to explore and develop innovative ways to serve its mission.

Please let us know if you have any questions or if there is any additional information that we can provide.

Respectfully submitted,

Deirdre M. Smith
Director and Associate Prof. of Law

[5] For example, the Class of 2008, which is the class from which our current Clinic students are drawn, was significantly smaller than the typical class at the University of Maine School of Law. Therefore, our enrollment in the fall 2007 (20) was down slightly from the spring 2007 (23) enrollment.

ILAP

IMMIGRANT LEGAL ADVOCACY PROJECT

January 15, 2008

Janis Cohen
Vice President and Managing Counsel, Investments
UNUM
2211 Congress Street, C474
Portland, ME 04122

Via E-Mail

RE: ILAP report to the MCLS Fund Commissioners for 2007

Dear Janis:

I am pleased to provide you with a report of ILAP's activities in 2007 which were funded in part by ILAP's grant from the Maine Civil Legal Services Fund.

As detailed in the report, in 2007 ILAP provided legal consultations to over 2300 individuals. ILAP also helped hundreds of low-income Mainers apply *pro se*, or in complicated cases, with full legal representation, for permanent residency, protection from persecution abroad or from domestic violence at home, reunification of family members, U.S. citizenship, and employment authorization. ILAP's services in 2007 helped low-income Maine residents take the legal steps they needed to stabilize their status here in the United States so they may embark on building their new lives in Maine in safety and without fear.

ILAP is gratified to have the MCLS Fund's commitment to supporting its work and the efforts of Maine's immigrants to become full members of their Maine communities. Please do not hesitate to contact me should you have any questions about anything discussed in the report.

Very truly yours,

Beth Stickney

Beth Stickney, Esq.*
Executive Director

* Admitted in Massachusetts. Practice limited to Immigration and Nationality matters.

www.ilapmaine.org 309 Cumberland Avenue, Suite 201 P.O. Box 17917 Portland, Maine 04112 ph 207 780 1593 fax 207 699 2313

IMMIGRANT LEGAL ADVOCACY PROJECT
FY 2007 Year-end Report (January 1, 2007 – December 31, 2007) to the MCLSF

INTRODUCTION

ILAP serves indigent and low-income noncitizens and their US citizen family members, and service providers from other fields who encounter them, who need immigration information and assistance. ILAP presently offers the following services: *Education and Outreach* to immigrant communities and to service providers regarding immigration law and policy; an *Immigration Clinic* offering attorney consultations, immigration application assistance, and brief intervention for persons with slight immigration complications, and full legal representation for persons with complicated immigration issues through its *Pro Bono Immigration Project* and by ILAP staff through its *Full Representation Program.* ILAP also deals with systemic issues via its *Impact Project.*

Since ILAP's grant from the Maine Civil Legal Services Fund (MCLSF) in 2007 was not large enough to support the costs of any particular service (as is the case with all but one of the grants that ILAP received in 2007), **funding from the MCLSF was applied to help support all of ILAP's legal services provided**. The MCLSF grant was applied exactly as ILAP proposed in its request for funding.

ILAP FY 2007 SERVICES

In FY 2007, ILAP's legal work in-house was performed by 2.5 attorneys and one paralegal, augmented by volunteers, who accomplished the following:

Immigration Clinic:[1] The *Immigration Clinic* is ILAP's first point of contact with consumers, who approach ILAP for an in-person or telephonic consultation. Persons served in the *Immigration Clinic* may also be offered additional *Immigration Clinic* services such as "Extended Assistance" or "Brief Intervention," or where warranted, full legal representation. Weekly walk-in consultations were held at ILAP's office on Fridays. ILAP also offered bimonthly consultations by appointment in Lewiston, in space donated by Lewiston Adult Education. Consultations were also available by telephone, with telephone access enhanced by ILAP's toll-free Helpline. All *Immigration Clinic* services beyond the Lewiston consultations and Portland Walk-in Consultations are performed by appointment at ILAP's office in Portland, or in conjunction with periodic outreach trips to locations such as Aroostook and Washington Counties. **During FY 2007, ILAP's *Immigration* Clinic provided 1480 attorney consultations benefiting 2308 individuals. Sixty-four percent (946) of these were extended consultations lasting 45 minutes or more.**

Extended Assistance and Brief Intervention: *"Extended assistance"* is ILAP's terminology for providing immigration application assistance or other *pro se* assistance to persons needing legal assistance but lacking major complications. Typically, ILAP meets multiple times with the client over several weeks, and staff or volunteers spend from 5 to 20 hours to conclude the assistance. *"Brief intervention"* is ILAP's term for a situation where a person has a slight complication that definitely requires the expertise of an experienced immigration advocate to properly resolve, but that possibly may be resolved without full attorney involvement, and without the need for ILAP to enter its appearance on the person's behalf. By offering brief intervention, ILAP is able to affordably provide expert legal assistance to low-income Mainers without incurring the administrative effort and expense that accepting the person as a full representation client would entail. ILAP is prepared in all cases to accept these individuals as full representation clients and to enter an appearance if needed.

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[1] *See* Table, attached, for statistics.

In FY 2007, **ILAP's *Immigration Clinic* provided immigration application or other *pro se* assistance**[2] (for individuals already included in the overall consultation count, above) as follows:

Matters served: 647 Matters completed: 604 Matters carried into FY 2008: 43

- **Completed applications for permanent residency: 294** (compared to 149 in 2006)
- **Completed applications for U.S. citizenship: 51** (compared to 24 in 2006)
- **Completed applications for employment authorization: 54**
- **Completed applications for Temporary Protected Status: 51**
- **Completed petitions to initiate the residency process: 41**
- **Other immigration applications completed: 78**
- **Completed brief interventions: 35**

ILAP does not track the outcomes of its extended assists since the individuals file their applications *pro se* and Immigration authorities respond directly to the individual, rather than to ILAP. However, all persons receiving *pro se* brief assistance are asked to contact ILAP if they encounter any problems. Most frequently, we hear back from the person served when they come to ILAP for another service, such as an individual whom we assisted to file for residency returning years later requesting help to apply for U.S. citizenship. ILAP does track outcomes of its brief interventions, and all that have received decisions were successful.

Assistance to persons detained by ICE for removal proceedings: ILAP advised and provided written instructions to **165 persons** whom it lacked the capacity to represent (see further discussion of this under "Full Legal Representation," below), about how to apply for bond and for "voluntary departure" in lieu of removal, in removal proceedings before the Immigration Court of Boston.

Pool of Persons Assisted: The individuals assisted by the *Immigration Clinic* during FY 2007 **came from one hundred nine (109) countries**. *See* Table of Statistics, attached. **All sixteen (16) Maine counties were represented**, including Cumberland (66%), Androscoggin (15%), York (4%), Washington (3%), Aroostook (3%), Hancock (2%), Penobscot (2%), and Franklin, Kennebec, Knox, Lincoln, Oxford, Piscataquis, Sagadahoc, Somerset and Waldo (together 5%).

Collaboration: During FY2007, ILAP's *Immigration Clinic* assisted dozens of service providers and others statewide who had immigration questions about persons whom they served, including domestic violence prevention programs, homelessness prevention programs, hospitals, schools, child welfare agencies, AIDS assistance programs, churches and mosques, housing authorities and city social services departments, Maine's Congressmen and Senator's offices, other legal aid providers, and USCIS/ICE, among others. A complete list of entities receiving assistance on behalf of their clients or referring clients to ILAP is available if it would be helpful.

Full Legal Representation

ILAP provides full legal representation to persons with complicated immigration issues through its staff attorneys and through its *Pro bono Immigration Panel*. 2007 was a critical year for ILAP's Full Representation Program, as it became apparent that ILAP's two staff attorneys handling full representation cases were seriously overstretched (ILAP's Executive Director provides consultations and helps supervise ILAP's legal work but does not carry a full representation caseload). For the first time since becoming a staffed agency in 2000, ILAP was compelled to take dramatic steps to safeguard

[2] Some persons received more than one service.

our commitment to high quality representation for the clients whose cases already had been accepted in prior years, and to avoid staff burnout. These measures included:

- Declining to accept all but the most urgent full representation cases until a critical number of existing clients cases were successfully closed;
- Reducing the number of outreach events conducted, because of lack of capacity to handle the increased demand for assistance that such events generate;
- Closing ILAP's office to the public on Wednesdays in order to have time to get case work done without interruptions;
- Aggressively recruiting additional attorneys for ILAP's *Pro bono Immigration Panel,* in order to improve that Panel's ability to augment ILAP's in-house capacity.

Thirteen (13) attorneys joined ILAP's *Pro bono Immigration Panel* in 2007, expanding the panel from 25 to 38 attorneys (a 50% increase in the Panel's size). These attorneys augmented ILAP's capacity by working on 49 full representation cases in 2007, **devoting 2000 hours of their time worth $300,000, and representing a 90% increase over the prior year's volunteer attorney efforts.** Recruitment efforts to further expand the Panel will continue in 2008.

ILAP's staff and *Pro bono Immigration Panel* attorneys **provided Full Representation services to 469 clients during 2007** (including cases still open from prior years). Case activity in FY 2007 included[3]:

Cases opened: 102 Cases closed: 150 Cases open at year end: 189 (281 individuals)

- **Asylum applications granted: 15, including 5 in removal proceedings**
  - Asylum applications pending or in preparation: **33**, including 13 in removal proceedings
- **Initial stage of residency granted: 44 (including 9 domestic violence survivors' cases)**
  - Initial stage of residency applications pending or in preparation: **77** (including 11 domestic violence survivors' cases)
- **Permanent residency (final stage) granted: 61 (including 8 domestic violence victims' cases)**
  - Permanent residency (final stage) applications pending or in preparation: **55** (including 4 domestic violence survivors' cases)
- **Employment authorization applications granted: 85**
  - Employment authorization applications pending: **7**
- **Naturalization to U.S. citizenship applications granted: 28**
  - Naturalization to U.S. citizenship applications pending: **33**
- **Removal proceedings terminated (to allow applications to be pursued affirmatively before USCIS), or closed (because relief from removal granted): 10** (including 5 asylum cases noted previously)
  - Removal proceedings still pending: **21** (including 13 asylum applications noted previously)
- **Other applications granted: 75**
  - Other applications pending or in preparation: **19**
- **Cases withdrawn or abandoned** (due to conflict, client moved out of state, or client disappeared): **20**
- **Cases finally denied: 10**

Of cases in which applications received final decisions, <u>96.8% were approved</u>.

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[3] Some clients received more than one service.

Of note in 2007 was the increase in immigration detainees who needed ILAP's help. In 2005, ILAP provided assistance to 23 persons detained for civil immigration violations by US Immigration and Customs Enforcement, and to 77 in 2006. In 2007 ILAP was contacted by 166 individuals seeking ILAP's assistance. All of these individuals should ideally have had full representation in order to seek a lower bond and to request voluntary departure. However, due to lack of capacity, ILAP provided them with verbal and written instructions to help them pursue their cases *pro se*, as mentioned previously. One detainee's case was accepted for full representation since he qualified to apply to remain in the U.S.

Full representation and *Pro bono* Panel clients whose cases were successful in 2007 included:

- A man from El Salvador who filed for asylum in the late 1980s did not receive his asylum interview notice, resulting in initiation of removal proceedings. Notice of those proceedings was also sent to an incorrect address and he was automatically ordered removed when he did not appear at the hearing. When he tried to renew his work permit, it was denied and he came to ILAP for help. ILAP realized that he was eligible to apply for residency through a special 1997 law (NACARA) for certain Guatemalan and Salvadoran asylum seekers. ILAP successfully reopened his removal proceedings, and then received approval from the Immigration Court to terminate the proceedings so that he could apply for residency before the USCIS rather than in the Immigration Court of Boston. His NACARA application was approved in 2007 and he now has his permanent residency. ILAP also helped his partner get residency through NACARA and now they are both working and living happily with their two U.S. citizen children.
- An Asian woman who is deaf immigrated to the U.S. through marriage to a U.S. serviceman, whom she fell in love with and married when he was stationed in her country. Not long after coming in to the U.S., she became pregnant. During the pregnancy, her husband became increasingly abusive. Due to the abuse, she eventually left her husband and was referred to ILAP by domestic violence prevention program staff. Under the immigration laws, her marriage would be presumed fraudulent and she would lose her green card because of the marriage's break-up. ILAP helped her apply to retain her residency by proving that the marriage's dissolution was due to abuse. Her application was approved, and she was able to stay in the U.S. with her U.S. citizen child, of whom she had gained full custody. ILAP then helped her apply for naturalization and requested accommodations due to her deafness. In 2007, she passed her citizenship interview and was sworn in immediately through a deaf interpreter as a naturalized U.S. citizen at the interview.
- A Haitian political activist was forced to flee Haiti in 2002 and entered the U.S. with a fraudulent passport. He was placed in removal proceedings at entry, and applied for asylum in Florida. While those proceedings were underway (removal proceedings can take years), he met a Maine woman who had been living in Florida. They fell in love and married, and moved to Maine. Under the immigration laws, the marriage of a person while in removal proceedings is presumed fraudulent, and a visa petition based on the marriage can only be approved by overcoming the presumption with "clear and convincing" evidence. The man and his wife came to ILAP for help shortly after moving to Maine. ILAP successfully requested that the man's removal case be transferred to the Immigration Court in Boston. ILAP successfully documented the good faith of the couple's marriage so that USCIS approved the marriage-based visa petition. ILAP then successfully petitioned for termination of the removal proceedings so that the man could apply for his residency based on the approved visa petition before Immigration officials in Portland rather than in the Court. Because he had entered with a fraudulent passport, the client was also prohibited from getting residency unless he could prove that his wife would suffer extreme hardship if residency were denied. ILAP prepared the "extreme hardship waiver" and the client's residency application was finally approved so that he could stay safe with his wife in Maine.
- A man born in Canada to a Canadian father and U.S. citizen mother had lived in the U.S. since he was 2 weeks old. When in his 50s, after living, working and paying taxes in the U.S. all of his life, he contracted an aggressive form of cancer and was forced to quit his job. He applied for Social Security disability payments, but learned then for the first time that he had been

completely undocumented all of his life and could not collect that benefit as result. ILAP determined that his mother had been too young when he was born to transmit U.S. citizenship to him, and that he was indeed undocumented. His mother was dead and could not petition for him. ILAP helped him apply for residency under a special law for persons who can prove they have lived continuously in the U.S. since before 1972. He case was approved in 2007, and he now has his permanent residency and is able to obtain the disability payments and Medicaid he needs to help him through his cancer treatments.

- A Somali man came to the U.S in the mid 1990s and applied for asylum. He won his case, and had the right to apply to bring his wife and three sons to join him in the U.S. within two years of the date his case was approved. Unfortunately, two weeks after gaining asylum, he was in a car accident and suffered traumatic brain injury. After his release from the hospital, he should have received intensive follow-up therapy and care, but unfortunately, he did not have any family or case managers to ensure that he did. He functioned in a fog for years, and never filed for his family. Eventually, his wife died, though he was unaware of this, and individuals in Africa collected money to send his children to the U.S. to join him since there was no one there to take care of them. When the children arrived, Somali community members told him to come to ILAP to find out how they could stay. ILAP placed the children's cases with one of ILAP's *Pro bono Immigration Panel* attorneys, to apply for asylum. ILAP then requested that USCIS accept the man's petition for his sons to be granted asylum based on his own approved asylum application, even though that petition, which by law had to be filed within two years of his own asylum grant, was being filed eight years too late. Even though ILAP's client's brain injury had gone untreated for years, ILAP was able to convince USCIS that his failure to apply for his family was due to the brain injury, and that USCIS should make an exception to the two year filing requirement. USCIS approved his children's petition in 2007 and they now have asylum through their father. Their independent asylum applications were then withdrawn by their *pro bono* attorney. ILAP will assist the children again when they are eligible to apply for their residency in 2008.

Education and Outreach

In FY 2007, as noted previously, ILAP intentionally reduced the number of outreach events conducted due to lack of capacity to handle the surge in demand that such events often generate. Nonetheless, **ILAP conducted 31 outreach events** for immigrant community members or service providers, **attended by 892 persons**. Workshops or trainings included trainings for domestic violence prevention program staff regarding the immigration remedies for noncitizen victims of domestic violence; workshops for immigrant community groups regarding their constitutional and immigration law rights; and workshops concerning the potential impact of the various immigration law reform proposals pending in Congress in 2007. ILAP also appeared in print, radio and television media discussing immigration reform proposals at the federal level, and proposed legislation impacting immigrants at the state level, including bills to prohibit human trafficking in Maine and regarding driver's license access. ILAP also distributed client education materials, including over 1250 "know your rights" ILAP wallet cards in Spanish and English to Latinos throughout Maine.

***ILAP's* Impact Project**

ILAP continued to address issues that impact high numbers of noncitizens in Maine, in an effort both to improve the quality of their lives here, but also to reduce the numbers of persons who need to seek individual direct representation due to certain systemic issues. Highlights of ILAP's impact work in 2007 include:

- Continued participation of ILAP's executive director on the Maine Supreme Judicial Court's "Task Force" on LEP (Limited English Proficiency) court access issues. Work in 2007 included preparing materials to standardize procedures Judges and Clerks will apply in cases involving LEP

individuals, establishing minimum standards that interpreters must meet to be qualified to interpret in the Court system, among other issues

- ILAP, together with the Center for Prevention of Hate Violence and Catholic Charities Refugee Resettlement Program, MCLU and NAACP initiated a series of meetings with the Commissioner of Public Safety, the Chief of the Maine State Police, and the State Attorney General's office over an apparent increase in racial profiling of Latinos by law enforcement officials. Those discussions will continue in 2008.
- ILAP continued work with Department of Health and Human Services administrators in Augusta regarding revising DHHS's internal procedures manuals for the MaineCare and TANF programs, which make reference to outdated immigration laws and legal statuses, in order to reduce the number of improper denials of those benefits to noncitizens. This project will continue in 2008.
- ILAP helped draft, and provided critical testimony in support of a legislative proposal (LD461) to create sanctions for perpetrators of human trafficking in Maine, and remedies for human trafficking victims. The bill was unanimously recommended for passage by the Judiciary Committee, but after first readings in the House and Senate, was returned to the Committee for further information on the fiscal note. ILAP will work to ensure the bill's passage this year, which will especially help migrant workers who find themselves in abusive and exploitative working conditions in Maine.
- ILAP provided critical testimony, as did other MIRC partners (see below), regarding bills that would have greatly restricted immigrant access to drivers' licenses. ILAP's Executive Director was then appointed to a Task Force to examine the issue of driver's license access by Secretary of State Matt Dunlap. The Task Force presented its recommendations to the Transportation Committee in Augusta in December.
- ILAP continued to lead the Maine Immigrant Rights Coalition (MIRC), initiated by ILAP in December 2005, in an effort to have a more forceful presence both when communicating with Maine's federal Congressional delegation and with State lawmakers, as well as when mobilizing and highlighting systemic issues impacting immigrants such as labor issues, discrimination and healthcare access. MIRC meetings occurred monthly in 2007, with varying degrees of work done between meetings. At the end of 2007 MIRC embarked on a strategic planning exercise to determine MIRC's future structure and priorities for sustainability. This process will continue in 2008. Partners in MIRC include the Roman Catholic Diocese of Portland, Maine Council of Churches, MCLU, NAACP, El Centro Latino, Amnesty International, Peace Action Maine, Maine People's Alliance, Maine Migrant Health, and Catholic Charities Refugee Resettlement Program.

Administrative Issues

Sustainability Planning: As noted in the report on ILAP's Full Representation services, it became apparent in 2007 that ILAP's legal staff was stretched too thin, with 2.5 attorney staff (including the executive director) conducting nearly 1500 consultations annually, supervising the preparation of hundreds of *pro se* applications, mentoring ILAP's *Pro bono Immigration Panel* attorneys, and in addition, for two of the three attorneys (not including the executive director), handling over 200 full representation cases between them. As a result, ILAP embarked on a sustainability planning process which resulted several decisions. First, the Board acknowledged that ILAP is unsustainably lean, and approved hiring an additional attorney and a receptionist/program assistant to support ILAP's legal program staff. The goal of this decision is to be able to slightly expand ILAP's service capacity while also reducing the workloads carried by ILAP's two full time attorneys, in order to ensure the continued high quality of ILAP's work and to avoid staff burnout. In addition, several studies undertaken in other states in the past two years to examine the causes of high turnover of attorneys in legal aid agencies underscored that not only high stress levels but also low salaries are the primary reasons that legal aid providers have difficulty retaining their excellent staff. The Board therefore approved a substantial increase in the salary scales of ILAP staff, so that they will be paid amounts more commensurate to the

worth of their exceptional work, and attorney staff will be better able to balance their commitment to working in the poverty law arena with their high student debt loads.

Physical Plant: The decision to expand staff triggered the need to find a larger office. ILAP's existing space was neither large enough to accommodate the additional staff ILAP planned to hire, nor the many non-attorneys who approach ILAP seeking to volunteer. ILAP had to turn away many potential volunteers in 2007 due to lack of desk space where they could work. ILAP investigated new locations, but fortunately, an adjacent office suite in ILAP's building became available in late December 2007 at rent comparable or less than the rents that ILAP was finding when exploring alternative office locations. ILAP began construction in late December in order to adapt that new space to ILAP's needs. The transformation is expected to be completed by the end of January, 2008, including installation of additional phone lines, an upgrade of ILAP's phone system to one that can accommodate more extensions, installation of additional computers for new staff and volunteers, acquisition of used and new furniture, as well as the actual build-out of the space.

Staffing: In 2007, ILAP continued to be managed by its Executive Director, Beth Stickney, Esq., who was hired by, and reports to, the Board of Directors. ILAP's additional legal staff, included Sue Roche, Esq., our supervising attorney, who has primary responsibility for supervising ILAP's legal staff and volunteers, and mentoring ILAP's pro bono attorneys, and Barbara Taylor, our staff attorney, who focuses on full representation. Riikka Morrill, ILAP's BIA accredited representative who supervised the *pro se* assistance provided in ILAP's *Immigration Clinic* left ILAP for law school in 2007 and Richard Sherman was hired to replace her. Richard is not yet accredited and both his work and the work of ILAP's volunteers are supervised by ILAP's attorney staff. In November 2008, Jennifer Bailey, ILAP's newest staff attorney, began working one day a week to acquaint herself with ILAP while still being on maternity leave, prior to joining our staff at 80% FTE on January 2, 2008. ILAP staff in 2007 also included Meg Bryan, ILAP's office manager/volunteer coordinator, and Bree LaCasse, part-time development coordinator. In addition, Shamso Farah, a native of Somalia, provided interpreter services on a contract basis for ILAP clients.

Volunteers: In addition to the invaluable assistance provided by ILAP's *Pro bono Immigration Panel* attorneys, ILAP also received assistance from 21 non-attorney volunteers during 2007, who helped with tasks ranging from immigration application assistance in ILAP's *pro se* Immigration Clinic under attorney supervision, to general clerical assistance, work on special projects, and computer technical support. **Volunteer contributed five hundred six (506) hours collectively in 2007.**

Budget and Fundraising: *Budget:* ILAP ended FY2007 with a surplus in large part because of contributions by individual donors solicited to assist ILAP with the costs of ILAP's office space expansion in December 2007 and staff growth in 2008. ILAP anticipates that its 2008 budget will be 40% higher than in 2007 due to the 30% increase in its staff size, coupled with the increased salary scales discussed above, the higher rent for the larger office space, and the one-time costs of construction and equipping the new office space. The FY2007 surplus will be expended in the first month of 2008.

Fundraising: ILAP continued to participate with other legal aid providers (Pine Tree Legal Assistance, the Cumberland Legal Aid Clinic, Legal Services for the Elderly, Maine Equal Justice, and the Volunteers Lawyers Project) in the Campaign for Justice. ILAP also continued to take part in the Muskie Fund for Legal Services dinner. ILAP also received grants from several private foundations, but was turned down by many more, as the current political climate around immigration appears to be having a negative influence in the local grantmaking arena. For the first time, ILAP received rejection letters to grant proposals stating that the funders support services *only for citizens*, even though their published materials made no such distinction. Therefore ILAP worked hard in 2007 to raise funds from individual donors. Two house parties and two newsletters in 2007 helped acquaint current and potential donors with up-to-date specifics of ILAP's important work. For the second year, ILAP conducted a summer fundraising appeal in addition to its annual appeal in November. ILAP also initiated a major donor campaign, to help our efforts to build capacity. Through these efforts, ILAP raised over $100,000 in

individual donations in 2007. Additionally, ILAP held its third fundraiser and silent art auction, *CeleSoirée: Celebrating Immigration through the Arts.* ILAP doubled the number of attendees in 2007,and raised $17,000 in unrestricted funds. The fourth annual CeleSoirée event is scheduled for March 28, 2008. With the 40% increase in ILAP's budget in FY2008 over the FY2007 level due to ILAP's expansion, ILAP will be working hard to increase its revenues from all sources in 2008.

SUCCESSES AND CHALLENGES

As noted previously, 2007 was a critical year for ILAP. Since becoming a staffed agency in 2000, 2007 was the first year that ILAP had to close to clients regularly, and turn away substantial numbers of low-income persons who needed full representation due to lack of capacity to assist them. The good news is that people are turning to ILAP because of ILAP's excellent reputation stemming from its tremendous expertise on immigration matters, and from the high quality of ILAP's work that produces successful outcomes in the vast majority of cases. But the downside of turning people away, of course, is that they will likely have unsuccessful outcomes on their own, and will return to ILAP for help when their cases are at even more complicated and labor intensive stages, and that some people who need legal aid will not even approach ILAP for assistance because they will have heard from others who were turned away and will think that ILAP will also not be able to help them,.

Therefore, ILAP is excited by the prospects of expanding ILAP's staff and volunteer capacity in 2008, in order to better serve Maine's low-income residents who need immigration legal aid. The challenge of raising the money to support ILAP's larger size is daunting, but we will meet it with determination, in order to retain ILAP's extraordinary staff and maintain the high quality of our work, and to continue to be a reliable resource for expert immigration legal assistance and advocacy for Maine's low-income residents.

CONCLUSION

ILAP's grant from MCLSF is a critical component of ILAP's funding mix that makes it possible for ILAP to provide urgently needed immigration legal aid to Maine's immigrant communities. Maine's low-income noncitizens and their U.S. citizen family members count on ILAP as the resource to turn to when they need immigration law information, *pro se* assistance, representation, and systemic advocacy. Service providers throughout the State depend on ILAP to be able to assist them in helping their noncitizen clients. The general public and policy makers alike also look to ILAP to be educated about how state and federal laws and policies will affect immigrants living in Maine.

ILAP's work is critical to keeping Maine economically and culturally vital, by helping Maine's immigrants improve and stabilize their and their family members' immigration status, enabling them to work and live in Maine without fear, and to participate fully in their Maine communities. ILAP is grateful for the MCLSF's support of its work in 2007, and of its increased funding commitment to ILAP in 2008-2009 that will support ILAP's expansion in order to better serve the people of Maine. ILAP is proud to have the MCLSF as a partner as ILAP upholds Maine's immigrant tradition.

IMMIGRANT LEGAL ADVOCACY PROJECT
FY 2007 DEMOGRAPHIC STATISTICS
(January 1, 2007– December 31, 2007)

CONSULTATIONS, FORMS ASSISTANCE, BRIEF INTERVENTION, or REFERRAL:

Total persons served	Male	Female	Asian	Black[4]	Caucasian	Hispanic
2308	52%	48%	8%	48%	21%	23%

US Citizen by birth	US Citizen by Naturalization	Noncitizen	Age: <18	Age: 18-60	Age:>60
9%	6%	85%	21%	75%	4%

COUNTIES SERVED:	Cumber-land	Androscoggin	York	Aroostook/ Washington	Penobscot / Hancock	Franklin, Kennebec, Knox, Lincoln, Oxford, Piscataquis, Sagadahoc, Somerset & Waldo
Total: 16 Counties	66%	15%	4%	Each 3%	Each 2%	Together 5%

Countries of Origin (109)	Percentage
Somalia	24%
USA	9%
Mexico	7%
Sudan	7%
El Salvador	4%
Afghanistan	Less than 4%
Albania	Less than 4%
Algeria	Less than 4%
Angola	Less than 4%
Argentina	Less than 4%
Armenia	Less than 4%
Australia	Less than 4%
Austria	Less than 4%
Azerbaijan	Less than 4%
Bahamas	Less than 4%
Bangladesh	Less than 4%
Belarus	Less than 4%
Bhutan	Less than 4%
Bolivia	Less than 4%
Bosnia & Herzegovina	Less than 4%
Botswana	Less than 4%
Brazil	Less than 4%
Bulgaria	Less than 4%
Burundi	Less than 4%
Cambodia	Less than 4%
Canada	Less than 4%
Cape Verde	Less than 4%
Chile	Less than 4%
China	Less than 4%
Colombia	Less than 4%
Congo (Brazzaville)	Less than 4%
Congo (Dem. Repub.)	Less than 4%
Croatia	Less than 4%
Cuba	Less than 4%
Czech Republic	Less than 4%
Djibouti	Less than 4%
Dominica (Comm. Of)	Less than 4%
Dominican Republic	Less than 4%
Ecuador	Less than 4%
Egypt	Less than 4%
Eritrea	Less than 4%
Ethiopia	Less than 4%
France	Less than 4%
Germany	Less than 4%
Ghana	Less than 4%
Guatemala	Less than 4%
Guyana	Less than 4%
Haiti	Less than 4%

[4] Predominantly natives of Africa and the Caribbean, rather than African-Americans.

Honduras	Less than 4%
India	Less than 4%
Indonesia	Less than 4%
Iran	Less than 4%
Iraq	Less than 4%
Ireland	Less than 4%
Israel	Less than 4%
Italy	Less than 4%
Ivory Coast	Less than 4%
Jamaica	Less than 4%
Japan	Less than 4%
Kazakhstan	Less than 4%
Kenya	Less than 4%
Korea, South	Less than 4%
Liberia	Less than 4%
Lithuania	Less than 4%
Macedonia	Less than 4%
Malawi	Less than 4%
Malaysia	Less than 4%
Mali	Less than 4%
Moldova	Less than 4%
Morocco	Less than 4%
Myanmar	Less than 4%
Nepal	Less than 4%
New Zealand	Less than 4%
Nicaragua	Less than 4%
Nigeria	Less than 4%
Pakistan	Less than 4%
Panama	Less than 4%
Peru	Less than 4%
Philippines	Less than 4%
Poland	Less than 4%
Portugal	Less than 4%
Romania	Less than 4%
Russia	Less than 4%
Rwanda	Less than 4%
Senegal	Less than 4%
Serbia	Less than 4%
Sierra Leone	Less than 4%
Slovakia	Less than 4%
South Africa	Less than 4%
Spain	Less than 4%
Sri Lanka	Less than 4%
St. Lucia	Less than 4%
Switzerland	Less than 4%
Taiwan	Less than 4%
Tajikistan	Less than 4%
Tanzania	Less than 4%
Thailand	Less than 4%
Togo	Less than 4%
Trinidad & Tobago	Less than 4%

Turkey	Less than 4%
Uganda	Less than 4%
Ukraine	Less than 4%
United Kingdom	Less than 4%
Venezuela	Less than 4%
Vietnam	Less than 4%
Yemen	Less than 4%
Zambia	Less than 4%
Zimbabwe	Less than 4%

PENQUIS

Helping Today • Building Tomorrow

To: **Maine Civil Legal Services Fund Commission**
From: **Penquis Law Project**
Date: **January 14, 2008**
Re: **Annual Progress Report, January-December 2007**

Overview

The Penquis Law Project is a program operated by Penquis. It was established in 1995 in response to a grassroots effort to help meet the civil legal needs of the poor. The mission of the Law Project is to assist low-income individuals, primarily victims/survivors of domestic violence, sexual assault and stalking, to become safe, self-sufficient community members through access to free civil legal assistance. The Penquis Law Project primarily serves individuals who have experienced or are experiencing domestic violence, sexual assault, dating violence, and/or stalking. Attorneys provide individualized representation to clients in their domestic relations matters as well as one-time consultations to individuals who are ultimately able to handle their legal matters *pro se*.

What we proposed:

At the time of our proposal to the Maine Civil Legal Services Fund Commission, the Law Project was staffed by two attorneys, a part-time paralegal, a legal secretary and a directing attorney. The Law Project served only Penobscot and Piscataquis Counties. However, Penquis had recently merged with Coastal Community Action Program and now had a responsibility to address the needs of the low-income population in Knox County. With funding from the Maine Civil Legal Services Fund, the Law Project proposed to hire an additional full-time attorney to meet the high demand in Penobscot County and to augment the limited services available in Knox County.

The anticipated results/impacts of the CLSF funding were as follows:

Outputs: CLSF funding will enable at least 70 additional individuals annually to receive representation and one-time consultations.

Anticipated Results: By creating access to comprehensive civil legal assistance, the Law Project will increase the ability of victims of domestic violence, sexual assault, and stalking to become free – physically, financially, and emotionally – from their abusers.

LAW PROJECT

262 Harlow Street (207) 973-3671
PO Box 1162 Fax (207) 973-3699
Bangor, Maine 04402 TDD (207) 973-3520
www.penquis.org 1-800-215-4942

Client Impacts:

Representation: Clients will receive a final court order, usually an Order for Protection, Divorce Judgment, Parental Rights and Responsibilities Order, or an Amended/Modified Judgment or Order (post-judgment modification of an original judgment or order). Final orders may include a child support order, primary residence and visitation schedule, division of debts and personal property, division of real estate, and an award of spousal support, if appropriate. Clients who choose to dismiss their case and reunite with their abuser will receive information and support and the option to reengage in services when the client is ready to proceed with their case.

One-time Consultation: Individuals receive answers to their legal questions and thus are able to proceed *pro se*.

Initial Outcomes:

- Individuals who are victims of domestic violence and would otherwise be unable to afford or have access to an attorney will receive direct representation and will therefore be able to successfully negotiate the court process.
- Individuals who receive one-time consultations will be better able to proceed *pro se*.

Long-term Outcomes:

- Clients will be safe economically, physically, and emotionally.
- Clients will be self-sufficient and better able to permanently separate from their abusers.

Progress Report:

With funding from the MCLSF we hired our third attorney, Michelle Maynard, in February of 2006 and expanded our service area to include Knox County. During 2007, funding from the MCLSF allowed us to maintain this position as well as to continue to provide services in Penobscot, Piscataquis and Knox counties. Michelle primarily serves Penobscot and Knox counties while the other two attorneys serve Penobscot and Piscataquis counties.

The Law Project is staffed by a part-time directing attorney, three full-time attorneys, a part-time paralegal and a full-time legal secretary. Our grant from the United States Department of Justice, Office on Violence Against Women, Legal Assistance for Victims grant program, is a major part of our funding and fully pays the salaries and associated expenses of the two attorneys and part-time paralegal. However, it does not support the salary or expenses associated with the directing attorney and legal secretary. These positions are necessary for the overall operation of the Law Project; the directing attorney provides administrative oversight and supervision while the legal secretary is crucial to our ability to field intake calls, serve our clients, and provide clerical secretarial support to the attorneys. Funding from the MCLSF helped to support these positions, thus supporting the work of the Law Project beyond just those clients served by Michelle. Reported below is information regarding both those individuals served by Michelle as well as the overall work of the Law Project.

1.) The types of cases handled by the organization as a result of the Award received from the Fund:

Attorneys represented 148 clients and served 161 individuals through one-time consultations. Some individuals had more than one case type. Case types for one-time consultations were as follows: 57 divorce, 20 protection from abuse, 31 parental rights and responsibilities, 62 post-judgment, 2 protection from harassment and 3 other. Case types for clients receiving representation were as follows: 73 divorce, 24 protection from abuse, 27 parental rights and responsibilities, 35 post-judgment, and 1 other.

Case types for the individuals served by Michelle, through one-time consultations were: 21 divorce, 7 protection from abuse, 7 parental rights and responsibilities, 12 post-judgment. Case types for clients served by Michelle were: 26 divorce, 4 protection from abuse, 11 parental rights and responsibilities, 16 post-judgment.

2.) The number of people served by the organization as a result of the Award received from the Fund:

The attorneys served a total of 309 unduplicated individuals. There were 148 clients who received representation and 161 individuals who received one-time consultations. There were 172 consultations actually provided; some individuals received more than one consultation or received a consultation and then later became a client. Eighty-one (81) clients were new and the rest were carried over from the previous year. Michelle, the attorney wholly funded by MCLSF funds, served 56 clients and 43 one times.

3.) Demographic information about the people served as a result of the Award received from the Fund:

Demographic information for the 161 individuals served through one-time consultations is as follows:

Age:	18-24 yrs: 23; 25-59 yrs: 98; 60+ yrs: 3; unknown: 37
Gender:	154 female; 7 male
Race:	125 White; 5 Hispanic; 1 African American; 1 Native Hawaiian or other Pacific Islander; 1 Native American or Alaska Native; 1 Asian; 27 unknown
Housing:	74 rent; 41 own; 30 other; 12 unknown; 4 homeless
Health insurance:	100 MaineCare; 28 other insurance; 15 no insurance; 18 unknown
Disabled:	26
Immigrant status:	1
Children:	133 had minor children
Income level:	99 ≤75% of poverty; 13 ≤100% of poverty; 10 ≤ 125% of poverty; 9 ≤150% of poverty; 7 ≤175% of poverty; 4 had income at or above 200% of poverty; 19 unknown

Demographic information for the 43 individuals served by Michelle, through one-time consultations, is as follows:

Age:	18-24 yrs: 4; 25-59 yrs: 13; 60+ yrs: 1; unknown: 25
Gender:	43 female
Race:	17 White; 1 Hispanic; 1 Native American or Alaska Native; 1 Asian; 23 unknown
Housing:	17 rent; 11 own; 7 other; 8 unknown
Health insurance:	23 MaineCare; 7 other insurance; 7 no insurance; 6 unknown
Disabled:	5
Immigrant status:	none
Children:	34 had minor children
Income level:	28 ≤75% of poverty; 1 ≤100% of poverty; 4 ≤ 125% of poverty; 3 ≤150% of poverty; 3 ≤175% of poverty; 1 had income at or above 200% of poverty; 3 unknown

Of the 161 one-time consultations, 124 experienced either domestic violence, sexual assault or stalking. While our priority remains serving those who have experienced domestic violence, sexual assault or stalking, the others were assisted because time allowed when they called seeking help and because, upon intake, they disclosed some other factor which would make it extremely difficult for them to navigate the legal system *pro se* without some guidance and/or had some immediate legal need to be addressed such as a due date for filing an answer to a complaint. Such factors include minors (a teen mother filing parental rights), those with extremely limited financial resources (TANF recipients), those who are disabled or those with mental health issues. Eighteen (18) of the individuals who had not experienced abuse were served by Michelle.

Demographic information for the 148 clients who received representation is as follows:

Age:	18-24 yrs: 33; 25-59 yrs: 107; 60+ yrs: 3; Unknown: 5
Gender:	147 female; 1 male
Race:	123 White; 5 Hispanic; 1 African American; 1 Native Hawaiian or other Pacific Islander; 3 Native American or Alaska Native; 3 Asian; 12 unknown
Housing:	86 rent; 30 own; 26 other; 6 unknown
Health insurance:	104 MaineCare; 19 other insurance; 19 no insurance; 6 unknown
Disabled:	22
Immigrant status:	2
Children:	123 had minor children
Income level:	111 ≤75% of poverty; 19 ≤100% of poverty; 7 ≤125% of poverty; 5 ≤150% of poverty; 4 ≤75% of poverty; 2 had income at or above 200% of poverty

Demographic information for the 56 clients who received representation from Michelle is as follows:

Age:	18-24 yrs: 15; 25-59 yrs: 38; 60+ yrs: 2; Unknown: 1
Gender:	56 female
Race:	43 White; 1 Hispanic; 1 Native Hawaiian or other Pacific Islander; 1 Native American or Alaska Native; 2 Asian; 8 unknown
Housing:	32 rent; 8 own; 14 other; 2 unknown
Health insurance:	44 MaineCare; 4 other insurance; 4 no insurance; 4 unknown
Disabled:	7
Immigrant status:	none
Children:	44 had minor children
Income level:	38 ≤75% of poverty; 7 ≤100% of poverty; 4 ≤125% of poverty; 3 ≤150% of poverty; 3 ≤175% of poverty; 1 had income at or above 200% of poverty

All clients experienced domestic violence, sexual assault or stalking.

4.) The geographical area actually served by the organization as a result of the Award received from the Fund:

While we primarily practice in the District Courts in Penobscot, Piscataquis and Knox Counties individuals we serve sometimes reside in other areas of the state or move while their case is pending.

Of the individuals served through one-time consultations: 100 resided in Penobscot County, 5 in Knox County, 49 in Piscataquis County, 1 in Hancock County, 1 in Waldo County, 1 in Franklin County, 2 in Somerset County, 1 unknown and 1 out of state.

Of the clients served through representation: 112 resided in Penobscot County, 9 in Knox County, 16 in Piscataquis County, 3 in Hancock County, 1 in Waldo County, 1 in Cumberland County, 1 in Kennebec County, 1 in Somerset County, 1 in Androscoggin County, 3 out of state (including one who resides in Canada).

Of the individual served by Michelle, through one-time consultations: 35 resided in Penobscot County, 5 in Knox County, 1 in Piscataquis County, 1 in Waldo County, 1 in Franklin County. Of the clients served by Michelle: 40 resided in Penobscot County; 8 in Knox County; 3 in Piscataquis County; 2 in Kennebec County; 1 in Hancock County and 2 out of state.

5.) The status of the matters handled, including whether they are complete or open:

Of the client files, 103 were closed by the end of December 2007; 41 of those closed were served by Michelle. Forty-five (45) remained open as of January 1, 2008. This caseload will be shared by Michelle and one other attorney, as one of our attorneys is leaving in January to relocate to Portland. We will be seeking to hire in order to fill the vacant position.

Of those closed, 74 resulted in a final order; 31 of those were served by Michelle. Additional outcome information will be described in number #7. Of the 29 other matters that did not result in a final order, we know that 8 reconciled with their abuser, 9 clients lost contact with us resulting in the case never being filed or the attorney withdrawing, 4 decided not to move forward with or to dismiss their case, in 1 case child protective became involved and the parental rights case was put on hold, and in the remaining 7 cases the client or attorney withdrew for various other reasons.

6.) Whether and to what extent the recipient organization complied with the proposal submitted to the Commission at the time of the application for an Award:

The Law Project complied with the proposal submitted to the MCLSF Commission. We proposed serving at least 70 additional people with MCLSF money; 99 additional people were served during this time period.

We have slightly modified our Outcome Measurements from what was suggested in the proposal based on what we have discovered to be the most meaningful data. Rather than two long term outcomes we now have one intermediate outcome and one long term outcome. Our outcome data demonstrates the positive outcomes for clients served as a result of MCLSF funds.

7.) Outcome measurements used to determine compliance:

Initial Outcomes:

- Individuals who are victims of domestic violence and would otherwise be unable to afford or have access to an attorney will receive direct representation and will therefore be able to successfully negotiate the court process.

  Indicator:
  % of individuals who meet with an attorney at an initial consultation gain access to representation and enter into the attorney/client relationship

  Data source:
  The Law Project keeps records regarding those individuals we have met with. Files are maintained for each client.

- Individuals who receive one-time consultations will be better able to proceed *pro se*.

  Indicators:
  % of individuals who meet with an attorney for a one-time consultation who receive information regarding their legal case

  Data Source:
  The Law Project maintains records regarding all individuals we have met with including documentation of each one-time consultation and the matters discussed.

Intermediate Outcomes:

- Clients will increase their physical, emotional and economic safety.

Indicators:
% of clients who seek an interim order for child support, spousal support or to address a specific property issue will receive the interim order.

% of clients who seek an interim order granting them primary residence of their children will receive the interim order.

% of clients who report that threats or abuse was less during involvement with the Law Project than previously.

% of clients who report that their involvement with the Law project made them feel more in control of the process

Data Sources:
Closed Client Survey-number or percent will be based upon the answers of those clients who choose to complete and return the anonymous survey. Surveys are color coded to indicate which surveys were returned by clients surveyed with MCLSF funds.

Attorneys fill out a Closed Client Form based upon information contained in the client file and the attorney's observations.

Long term Outcomes:

- Clients will maintain their physical, emotional and economic safety.

Indicators:
% of clients who seek a final order for child support, spousal support or to address a specific property issue will receive the final order.

% of clients who seek a final order granting them primary residence of their children will receive the final order.

% of clients who seek a final protection order will receive one.

% of clients who report that threats or abuse were less after involvement with the Law Project than previously.

% of clients who report that using the Law Project made them feel safer.

% of clients who report that utilizing the process helped them to feel that the court process was more manageable

Data Sources:
Closed Client Survey-number or percent will be based upon the answers of those clients who choose to complete and return the anonymous survey. Surveys are color coded to indicate which surveys were returned by clients surveyed with MCLSF funds.

Attorneys fill out a Closed Client Form based upon information contained in the client file and the attorney's observations.

Actual Outcomes for 2007:

The following outcomes are outcomes for all individuals served by the Law Project in 2007.

Initial Outcomes:

- Individuals who are victims of domestic violence and would otherwise be unable to afford or have access to an attorney will receive direct representation and will therefore be able to successfully negotiate the court process.

  Indicator:
  85% of individuals who meet with an attorney at an initial consultation gain access to representation and enter into the attorney/client relationship

  Data source:
  The Law Project keeps records regarding those individuals we have met with. Files are maintained for each client.

- Individuals who receive one-time consultations will be better able to proceed *pro se*.

  Indicators:
  100% of individuals who meet with an attorney for a one-time consultation who receive information regarding their legal case

  Data Source:
  The Law Project maintains records regarding all individuals we have met with including documentation of each one-time consultation and the matters discussed.

Intermediate Outcomes:

- Clients will increase their physical, emotional and economic safety.

  Indicators:
  76% of clients who seek an interim order for child support, spousal support or to address a specific property issue will receive the interim order.

  92% of clients who seek an interim order granting them primary residence of their children will receive the interim order.

  78% of clients who report that threats or abuse was less during involvement with the Law Project than previously.

  90% of clients who report that their involvement with the Law Project made them feel more in control of the process

  Data Sources:
  Closed Client Survey-number or percent will be based upon the answers of those clients who choose to complete and return the anonymous survey.

  Attorneys fill out a Closed Client Form based upon information contained in the client file and the attorney's observations.

Long term Outcomes:

- Clients will maintain their physical, emotional and economic safety.

Indicators:

91% of clients who seek a final order for child support, spousal support or to address a specific property issue will receive the final order.

93% of clients who seek a final order granting them primary residence of their children will receive the final order.

94% of clients who seek a final protection order will receive one.

89% of clients who report that threats or abuse were less after involvement with the Law Project than previously.

78% of clients who report that using the Law Project made them feel safer.

90% of clients who report that utilizing the process helped them to feel that the court process was more manageable

Data Sources:

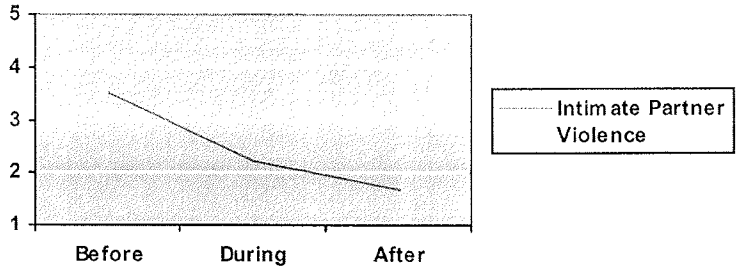
Closed Client Survey-number or percent will be based upon the answers of those clients who choose to complete and return the anonymous survey.

Attorneys fill out a Closed Client Form based upon information contained in the client file and the attorney's observations.

The Closed Client Survey utilized by the Law Project was created by Renate Klein, Ph.D., a social science researcher from the University of Maine, to provide an outcomes-based assessment of the work of the Law Project. The survey uses a rating scale to assess an individual's satisfaction with the individual's interaction with the Law Project and to measure the impact of civil legal assistance on her life, using indicators such as safety, empowerment, self-sufficiency, and quality of life. The survey is distributed to former clients, when safe to do so, and is used as an exit survey to provide ongoing feedback on the program's effectiveness. Dr. Klein compiles the survey results annually. We received her most recent report in 2007 and are pleased to be able to share those results.

The report, which includes data from 2002-2006, states that clients report a statistically significant decline in victimization over the period of their involvement with the Law Project, that clients feel much more in control of their life and find the Law Project very helpful in making decisions about their case, and that client satisfaction is high.

Overall, clients evaluate the Law Project very positively. There is an indication that clients experience less intimate partner violence once they start proceedings with the Law Project. The most immediate positive impact of the Law Project is on clients' sense of being in control of the legal process. Funding for the Law



Project is crucial because all but one client would have been without legal representation had the Law Project not been there. Based on the available feedback the Law Project is achieving all of its objectives. – Renate Klein, Ph.D.

From a Closed Client Survey returned by a client of Michelle's:

Not only did she help me with my case but she understood my feelings for my son's safety and always let me know that I could call whenever I had a question...I can't thank her enough for everything she'd done for me and my son.

Conclusion:

On behalf of the Penquis Law Project, thank you for your continued investment in civil legal services and in the futures of our clients. By increasing the availability of free civil legal assistance, the MCLSF has helped families access the services they need to secure their safety and independence. For any questions regarding the Penquis Law Project or outcomes resulting from MCLSF funding, please contact me at 973-3671 or tmathieu@penquis.org.

Respectfully submitted,

Tamar Perfit Mathieu
Directing Attorney
Penquis Law Project

Pine Tree Legal Assistance
Report to the Maine Civil Legal Services Fund Commission
January 2008

Overview

Pine Tree Legal Assistance was established as a statewide nonprofit corporation in 1966 by local attorneys concerned about the lack of coordinated legal services for low-income individuals in Maine. Since 1967, the program has provided free legal services to low-income individuals around the State who are confronted with serious civil legal problems, using a network of local field offices and telephone intake systems staffed by Pine Tree employees and volunteers.

Today, Pine Tree operates fully-staffed field offices in Portland, Augusta, Lewiston, Bangor, Machias, and Presque Isle to support the provision of general legal services to local low-income individuals. A Pine Tree attorney is also housed in the York County Shelter as part of a new project to address homelessness in York County. Pine Tree also operates four special projects:

- Farmworker Unit is based in Bangor and provides legal assistance to individuals working as migrant farm workers in Maine;
- Native American Unit is based in Bangor but also uses part-time staff support from field offices in Machias and Presque Isle to provide legal assistance to Native Americans who are members of Maine's four federally recognized tribes, as well as off-reservation tribal members;
- Family Law Unit is based in Portland and provides legal assistance primarily to victims of domestic violence and sexual assault in southern Maine;
- KIDS LEGAL is based in Portland but also has a staff attorney in Bangor; it provides legal assistance focused on the special needs of low-income children.

Legal services range from simple advice and brief service to negotiations and include full representation in the most serious cases. The program also devotes significant resources to support for *pro se* litigants, including the development of legal education materials and other "do it yourself" tools available from its offices and online at its program websites (including www.ptla.org, www.helpmelaw.org, and www.kidslegal.org)

Pine Tree's general services are structured to respond to the areas of highest need for assistance and the lack of other available resources in the local community to meet those needs. Program wide priorities are established by a 28-member Board of Directors that includes lawyers and low-income representatives from around the State. Pine Tree staff also actively participate on statewide and local initiatives designed to address systemic justice concerns, serve as trainers for social service agencies, the Courts and the private bar, and work closely with other members of the legal service community.

In general, Pine Tree's clients are individuals whose household income after certain deductions is at or below 125% of the federal poverty guidelines, and whose assets do not have a value in excess of $3,000 (depending on the size of the household). MCLSF funding is used to provide services to some low-income individuals with critical legal needs whose incomes fall outside usual criteria – for instance, to provide legal services to victims of domestic violence who are not able to access other legal help. Pine Tree does

not discriminate on the basis of race, color, sex, sexual orientation, creed, national origin, age, religion, political affiliation or belief, or disability. However, current federal restrictions bar services to undocumented aliens and certain non-US citizens except in cases of domestic violence.

The intake process routinely includes questions about household income and assets, as well as citizenship status, all of which are documented on the computerized case management system. No fees are charged for services but clients are asked to pay for the costs of litigation where feasible.

Pine Tree is Maine's oldest, largest legal service provider. It has been in continuous operation for 40 years, allowing it to develop a unique place in the State's justice system. It is recognized nationally as one of the country's best legal service providers -- a reputation that both reflects the impressive list of legal victories secured in Maine through Pine Tree advocacy AND its ability to attract, support and retain high quality staff.

Pine Tree's diverse staff includes several attorneys with 15 – 30 years of experience as legal service advocates as well as recent judicial clerks and other attorneys with 1- 7 years experience with the program. (The average Pine Tree staff attorney has 14 years of legal experience.) Pine Tree is committed to strong support and mentoring of its entire staff, and relies on its existing managers in local offices, as well as its Director of Training and Litigation, to provide this support. The program offers ongoing in-house training and access to formal CLE (Continuing Legal Education) programs on a regular basis. Pine Tree advocates are encouraged to develop effective working relations with community organizations and client groups in their service areas and to pursue issues of special interest that will strengthen their ability to serve our clients.

Pine Tree is also committed to the provision of local access to its services through its unmatched network of local offices and outreach sites around the State (Portland, Augusta, Bangor, Machias, Presque Isle and Lewiston), as well as an outreach project based at the York County Shelters in Alfred. Its intake system allows new clients multiple points of entry by phone or in person (rather than just relying on a single 1-800 number answered in a single location.) The intake system is accessible in 9 different languages; local offices also maintain TTY phones and comply with ADA requirements. At a time when many organizations have abandoned a local presence in favor of centralized offices in a single place, Pine Tree's costly network assures that its staff and advocates can reach any court in the State within roughly an hour's drive, and can remain attuned to local needs and resources.

Pine Tree has been a recipient of MCLSF funding since 1998 when the Fund first became available to support civil legal services to low-income and needy individuals. During calendar 2007, MCLSF funding represented 20% of our total program budget for direct legal services to low-income Mainers.

Types of cases handled in 2007

While the database for calendar 2007 is still being finalized, it appears clear that the staff of Pine Tree Legal Assistance handled a total of 9,148 cases during the year with all sources of funding. This total included the following:

- 816 consumer matters
- 265 education matters
- 242 employment matters
- 1,911 family law cases
- 237 health law cases
- 4,536 housing issues
- 836 income maintenance issues
- 305 other

Twenty percent of Pine Tree's total caseload was supported in part with MCLSF funding (a total of 1,830 cases) and 295 cases were funded exclusively with MCLSF funding. MCLSF funding allowed Pine Tree to target assistance to needy individuals whose household incomes were slightly above Pine Tree's usual guidelines, whose citizenship status was unclear, or who faced other barriers to service as a result of restrictions imposed by one of Pine Tree's other funding sources. This total was allocated as follows:

- 37 consumer matters (e.g., debt collection)
- 10 employment cases
- 69 family law
- 5 health law cases (e.g., Maine Care eligibility)
- 149 housing issues
- 18 income maintenance cases (e.g., food stamps and TANF)
- 5 individual rights
- 2 other

Included in the family law total were 16 complex cases in which a Pine Tree attorney served at the request of the Court as an unpaid guardian *ad litem* in a divorce or parental rights case involving a low-income child. Particularly in northern and eastern Maine, the Family Court Division has asked Pine Tree to accept appointment in high conflict family law cases, where no other resource would be available to ascertain the best interests of the child. The availability of MCLSF funding in 2007 allowed this important (and very time-consuming) work to go forward.

Number of people served as a result of MCLSF funding

Pine Tree's direct legal services benefited a total of 22,403 individuals in 2007, including 414 whose cases were supported exclusively with MCLSF funding and 21,989 whose legal services were supported in part with MCLSF funding.

In addition to direct legal service to individual clients, some MCLSF funding has been traditionally used to support a range of other important services. In 2007, these services included more than 1,700 individuals who were trained by Pine Tree staff during a wide range of presentations and programs around the State, the distribution of 6,775 "hard copies" of self-help materials or other legal education tools created by Pine Tree, and consultations with 5,476 low-income individuals needing legal help who were ultimately referred to other resources.

Although it is not possible to know how many individual users were benefited by access to Pine Tree's web-based resources, the Pine Tree web sites were visited more than 4.65 million times in 2007, an increase of about 400% above 2006 totals, and keeping the Pine Tree websites in the "top ten" of legal assistance sites on a national basis. They also reflect growing use of online resources by low-income Mainers, who can access these materials in schools and libraries around the State. In addition, more than 1,075,864 PDF files were downloaded from the websites (including interactive pleadings, pamphlets copied for use by local agencies, the food stamp calculator, child support guidelines, and the like).

Demographic information about people served as a result of MCLSF funding

As noted earlier, MCLSF funds were the sole source of support for legal representation to 295 Maine households in 2007. The average age of the MCLSF client was 39 and 61% of this group were women. Thirty-eight percent of these client households included at least one person with a disability. Four percent of this group were individuals with limited English proficiency. The group also included 1 Asian, 12 African-Americans, 5 people of Hispanic origin, and 3 Native Americans.

MCLSF funds also provided 20% of the support for an additional 8,853 cases handled by Pine Tree staff. As with cases funded exclusively by MCLSF, Pine Tree's "typical" client for representation in 2007 was a woman in her mid-thirties with at least one young child, although 31% of all clients served were male. Thirty-eight percent of all client households included at least one person with a disability. Five percent of this group were individuals with limited English proficiency. The group also included 65 Asians, 355 African-Americans, 245 individuals of Hispanic origin, 3828 Native Americans, and 8 Pacific Islanders.

These totals do not reflect people served in ways other than individualized legal service. For instance, the tiny staff of the Migrant Farmworker Unit based in Bangor visited over 93 different labor camps in 2007, traveling over 11,799 miles to meet with migrant workers involved in various agricultural activities (including blueberry, apple, broccoli, and vegetable harvests, wreath making, and egg production.). The Unit also distributed approximately 2,093 copies of an innovative "Harvest Calendar" that combined easy-to-

use legal information in Spanish and English with a calendar suitable for recording work hours, and distributed 228 newsletters addressing the laws impacting on H-2A workers as part of a regional collaboration in New England.

Similarly, the Native American Unit staff conducted outreach to tribal communities in Maine in 2007, allowing Pine Tree to provide much more responsive services to low-income members of the Penobscot Indian Nation, Passamaquoddy Tribe, Houlton Band of Maliseets, and Aroostook Band of Micmacs. The Unit also distributed over 2,072 issues of "Wabanaki Legal News" in one edition during the year.

Pine Tree continued to expand self-help material made available to its non-English speaking clients on its website, with at least some information available in Farsi, Somali, Chinese, Spanish, Vietnamese, French, Russian, Serbo-Croatian, and Arabic. Traffic to these portions of the website also increased dramatically in 2007, and encouraged use of Pine Tree's bilingual voicemail system in southern Maine (which provides access to callers in 8 languages other than English.)

Geographic area served as a result of MCLSF funding

Program services supported by MCLSF funding were provided on a statewide basis.

The following table reflects the allocation of cases on a countywide basis during 2007 (some cases were handled for migrant farm workers living out of State):

County	Cases funded only with MCLSF	Total cases
Androscoggin	67	1289
Aroostook	6	989
Cumberland	77	2068
Franklin	3	112
Hancock	2	158
Kennebec	39	890
Knox	1	122
Lincoln	3	78
Oxford	14	284
Penobscot	22	1021
Piscataquis	1	69
Sagadahoc	8	181
Somerset	4	204
Waldo	4	103
Washington	0	244
York	26	654

Status of matters handled

Of the 295 matters handled exclusively with MCLSF funding, the status of each case is as follows:

- 192 involved a discussion of the client's problem and advice on next steps;
- 32 involved the provision of additional services, including assistance with legal forms or informal negotiations with an opposing party;
- 11 involved a formal negotiation outside the context of litigation;
- 14 involved a negotiation with litigation;
- 7 were resolved with a court decision;
- 18 remained open on December 31, 2007.

The status of Pine Tree's total caseload during 2007 is as follows:

- 4,505 cases involved a discussion of the client's problem and advice on next steps;
- 1,175 involved the provision of additional services, including assistance with legal forms or informal negotiations with an opposing party;
- 369 involved a formal negotiation outside the context of litigation;
- 816 involved a formal negotiation after litigation commenced;
- 374 involved a full court or administrative hearing;
- 120 cases involved full representation outside a court or administrative proceeding;
- 1,275 cases remained open on December 31 2007;

Relationship of services to MCLSF proposal

As proposed in its 2006 application to the ME Civil Legal Services Fund, Pine Tree allocated its grant award among its various operations as follows:

- 80% was used to support general legal services to low-income individuals.
- 5% was used to support the statewide Farmworker Unit, based in Bangor;
- 5% was used to support the statewide Native American Unit, with part-time staff support in Bangor, Machias, and Presque Isle;
- 5% was used to support the statewide KIDS LEGAL project, with staff in Portland and Bangor;
- 5% was used to support victims of domestic violence who could not access other legal services, especially in northern and southern Maine.

Within the percentages referenced above, MCLSF funding was also used to support Pine Tree's traditional role in educating Maine people about their civil legal rights and remedies. This is accomplished primarily through Pine Tree's three nationally-acclaimed websites: core issues are covered by www.ptla.org; legal issues specific to Maine children at www.kidslegal.org; and a clearinghouse and search engine for all of Maine's legal aid providers at www.helpmelaw.org. All three offer access to libraries of user-friendly legal information and self-help tools.

Outcome measurements used to determine compliance

Pine Tree Legal Assistance has a variety of systems in place to determine compliance with funder requirements and to insure the provision of high quality legal services.

Pine Tree Legal Assistance documents demographic information (including eligibility data) and other relevant case data in a sophisticated computerized case management system, Practice Manager, which is also utilized by the Legal Services for the Elderly, Maine Volunteer Lawyers Project and Cumberland Legal Aid Clinic. The program identifies the primary funding code that supports each case as it is opened and includes a timekeeping function. Time spent on individual cases, as well as on training events and all other work activities, is recorded in 6 minute increments and forms the basis for the cost allocation system by which specific funding sources are identified with particular cases or types of legal work.

The program also tracks the outcome of each individual case handled by its staff in order to determine the program's rate of success in advocating for low-income Mainers. Of the 32 MCLSF cases closed with some level of extended service in 2007, all of them (100%) were resolved in favor of the Pine Tree Legal Assistance client.

Of the 1,679 extended service cases completed in 2007 with all sources of funding, including MCLSF, 1,483 (95%) were resolved in favor of the Pine Tree Legal Assistance client.

Pine Tree also tracks a range of measurable outcomes with respect to its program activities and services. While this data is not yet final, a sample of outcomes associated with MCLSF-funded cases includes the following:

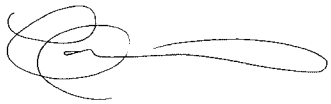
- 2 clients were able to secure a divorce or parental rights order;
- 17 clients obtained or preserved the right to visitation with their child/grandchildren;
- 11 prevented an eviction or delayed an eviction so a low-income household could find alternative housing;
- 1 case involved repairs or enforced rights to decent, habitable housing;
- 5 cases prevented an illegal eviction;
- 3 cases preserved or restored access to personal property;
- 1 case avoided/delayed foreclosure;
- 1 case preserved a low-income family's Section 8 status (enabling them to stay in affordable housing).

Finally, all Pine Tree Legal Assistance staff are subject to internal "Standards of Practice" designed to insure the quality of all legal services provided to low-income Mainers, in addition to other professional standards governing their work.

Conclusion

The Maine Civil Legal Services Fund represented 20% of Pine Tree's total budget for basic legal services in calendar year 2007. Every Pine Tree office and outreach site (in Presque Isle, Bangor, Machias, Augusta, Lewiston, Portland, and Alfred) has been supported with this funding in the past year. Because of Pine Tree's ongoing investment of MCLSF resources in Internet-based services, individuals all over the State who have access to their public library or school's computers can get easy-to-use information about legal rights and responsibilities under Maine law. Poor Mainers from Fort Kent to Kittery and from Oquossoc to Eastport have a better opportunity to receive justice today, thanks to the continuing services made possible from the Maine Civil Legal Services Fund.

Respectfully submitted,



Nan Heald, Executive Director
Pine Tree Legal Assistance
PO Box 547 Portland ME 04112

Legal Services for the Elderly
Annual Report to the Maine Civil Legal Services Fund Commission
January 2007

Legal Services for the Elderly ("LSE") is pleased to submit this annual report to the Maine Civil Legal Services Fund Commission (the "Commission") regarding LSE's services and accomplishments in 2007. As in the past, the support of the Maine Civil Legal Services Fund ("MCLSF" or the "Fund") was essential to ensuring that economically and socially needy seniors in Maine had access to free legal representation, thereby enabling them to live independently and with dignity.

Overview—All LSE Services

LSE has three significant programs that do not receive any support from the Fund and are funded entirely by either federal or state grants. The three programs are: 1) the Senior Medicare Patrol program; 2) services provided by LSE as a part of the State Health Insurance Counseling Program ("SHIP"); and 3) LSE's Medicare Part D Appeals Unit. The first two programs provide elderly Maine residents with information and assistance on health insurance matters, in particular Medicare, MaineCare and prescription drugs, and provide training and support to Medicare beneficiaries on a statewide basis. Together, these two programs provided direct assistance to 1,303 individuals in the past year and conducted over 100 training and education sessions that reached over 10,000 people. The LSE Medicare Part D Appeals Unit assists low-income Maine residents who are being denied access to needed prescription drugs under Medicare Part D. It assisted 703 individuals in responding to 857 denials of needed medications. In summary, over 2,000 people received services and another 10,000 received information through LSE programs that are not funded with MCLSF funds. It is fortunate that LSE currently has sources of state and federal funding for these vital services.

LSE also engages in systemic advocacy in an effort to have a larger impact on the policies and systems affecting Maine's elderly than would be possible if LSE were to limit its activities to individual representations. LSE's Public Policy Advocate serves on between 15-20 stakeholder groups and committees at any given time, including the Elderly Issues Partnership, Long Term Care Oversight Committee, Medicare Part D Stakeholders Group, Joint Advisory Committee on Select Services for Older Adults, and the MaineCare Advisory Committee. These systemic advocacy efforts are not supported by the Fund.

All of the other legal, outreach and education, and advocacy services provided by LSE in 2007 were supported in part by the Fund. **In 2007, MCLSF funding made up twenty nine percent (29%) of the total revenue required to provide all of these other LSE services. The remainder of this report describes <u>only</u> LSE services that are supported in part by the Fund.** Following a general description of the funded services, this report provides an item-by-item response to the information request received from the Commission.

Overview—LSE Services Supported by the Fund

Since its establishment in 1974, LSE has been providing free, high quality legal services to socially and economically needy seniors who are 60 years of age or older. LSE offers several different levels of service in an attempt to provide the necessary level of services to the greatest possible number of people. The three levels and types of service provided by LSE include the following: 1) brief services, advice and counseling to clients throughout Maine by the LSE Helpline attorneys; 2) extended representation by staff attorneys and paralegals in LSE's five local offices in Augusta, Bangor, Lewiston, Presque Isle, and Scarborough ("Area Offices"); and 3) client education and outreach conducted throughout the state by LSE attorneys and other LSE staff.

LSE's Helpline accepts calls via a statewide toll free number Monday through Friday during regular business hours and the vast majority of the calls are answered in person by an intake paralegal. Those calling after hours are able to leave a message and any call that is not answered in person is returned by no later than the next business day. The services provided by the Helpline include brief services in areas like debt collection and housing, as well as resolution of more complex cases, including foreclosures, predatory lending and evictions. Cases requiring representation in administrative appeals or court proceedings are referred to the Area Offices, as are cases involving clients that require a home visit for effective representation to take place. This efficient and effective system for handling intake and initial assessment of requests for assistance assures the LSE staff attorneys are able to focus their efforts on those cases actually requiring extended representation.

In 2007, LSE provided legal representation, assistance, or information to 2,763 Maine seniors in 3,395[1] cases involving a broad range of legal problems, including:

- Physical Abuse
- Financial Exploitation
- Guardianship Defense
- Nursing Home Eligibility and other long term care matters
- Medicare and Social Security, including Medicare Part D
- MaineCare, Food Stamps, heating assistance, general assistance, and other public assistance programs
- Consumer Fraud
- Debt Collection
- Housing
- Financial and health care powers of attorney
- Other civil matters

[1] Prior to 2006, this portion of this report reflected all LSE services, not just MCLSF funded services. The totals for 2007 for all services provided through LSE were 4,769 Maine seniors served in 5,555 cases.

Sixty percent (60%) of the total cases involved information and advice or brief services, while forty percent (40%) involved extended services. This total number of cases includes only calls that resulted in matters being opened. The LSE Helpline also acts as a referral service for calls that are outside LSE's mission or areas of priority, or are calls requiring social services rather than legal services. These calls that are referred are not counted in the totals reported.

In addition to direct client representation, LSE provides legal information to the public through public presentations and its website. In 2007, LSE's outreach and education efforts resulted in 56 educational sessions that reached over 1,100 people. The LSE website includes extensive information on powers of attorney, financial exploitation, advance directives, MaineCare estate recovery, MaineCare eligibility for nursing home coverage, Medicare Part D, and many other topics. The website provides a valuable resource not just to Maine's seniors, but also to their family members and caregivers. In 2007, there were 248,726 visitors to LSE's website (up from 163,297 the prior year).

Twenty nine percent (29%) of the clients and cases reported above reflect services that were provided as the direct result of LSE's receipt of MCLSF funds. The reported level of direct client service was provided through a small staff – 1.0 full time equivalent (FTE) Director of Litigation and Training, 2.2 FTE Helpline attorneys, 1.0 FTE Helpline paralegal, 3.7 FTE staff attorneys, and 1.8 FTE Area Office paralegals.

Types of Cases Handled by LSE

The following chart breaks down the number of cases handled in 2007 by general case area. A more detailed chart of case types follows this narrative. In each and every category of cases, MCLSF funding supported twenty nine percent (29%) of the total cases reported.

LSE CLIENT SERVICES BY GENERAL CSE TYPE	
Case Type	**Total**
Consumer/Finance (961)	28%
Housing (699)	21%
Health Care (539)	16%
Miscellaneous (primarily aging preparedness (506)	15%
Individual Rights (405)	12%
Family (145)	4%
Income Maintenance (111)	3%
Employment (29)	1%
Total Cases (3395)	**100%**

As in the past, the greatest demand for LSE services is for consumer issues (debt collection, home repair, automobile purchases), housing (public and private housing, foreclosures, evictions), access to health care (Medicare and MaineCare), and

miscellaneous cases, which include aging preparedness (probate, powers of attorney, advance directives, wills). The Area Office staff attorneys provided extended representation in elder abuse, guardianship defense, long-term care, predatory lending, and housing cases as well as other civil matters. LSE's clients continue to be among the most needy and vulnerable of Maine's seniors.

Number of People Served as a Result of MCLSF Funding

As a direct result of its receipt of MCLSF funding, LSE provided legal services to 801 people in 985 matters. In addition, twenty nine percent (29%) of the outreach and education services described above were directly supported by MCLSF funds.

Demographic Information on People Served

An attached chart provides data regarding the geographic distribution of LSE's clients in 2007. The clients served were thirty five percent (35%) male and sixty-five percent (65%) female. All clients served were sixty years of age or older. LSE does not inquire about the race of our clients unless we are required to do so by a specific funder.

Geographical Area Served as a Result of MCLSF Funding

As the attached chart reflects, services were provided on a statewide basis at levels generally consistent with the distribution of the low income elderly by county. Where the portion of the total LSE clients served is not consistent with the distribution of the low income elderly population across Maine, LSE will target the underserved areas for additional outreach in the upcoming year.

Status of Matters Handled

The reported matters were all opened during 2007 and are reported regardless of whether or not they were closed in 2007. LSE consistently reports matters opened for the reporting period in question to all funders unless specifically asked for other data. This assures the data provided by LSE may be compared from year to year and does not include any duplicate information.

Compliance with LSE Proposal to the Commission

LSE provided all of the services described in its proposal to the Commission with only one exception. The Legal Access Project described in that proposal was actually supported almost exclusively by federal funds that were discontinued in the fall of 2005. As a result, there is no longer a separate project by that name, although the described activities have been incorporated into the ongoing operations of LSE to the greatest extent possible in light of the loss of funding. All of the other services described in the proposal have been and continue to be provided by LSE.

LSE also provided services in 2007 that are beyond the scope of the services described in its proposal. This reflects LSE's continuing efforts to use MCLSF funding and other sources of legal services funding such as IOLTA funding as leverage to obtain new sources of funding for legal services for the elderly. In 2007, LSE added the Elder Access to Justice in Aroostook County Project (funded by MBF discretionary grant funds and private foundation funds) and started a new Access to Long Term Care project in Northern Maine (funded in part by United Way of Eastern Maine). In 2007, LSE also applied for and obtained both grant ($50,000) and loan ($375,000) funds from the USDA Rural Development Program that were used to purchase a building in Augusta that provides a permanent home for the LSE programs and services located there.

Outcomes Measurements Used to Determine Compliance

Using the Practice Manager Software that is shared by several of the legal services providers, LSE is able to collect, maintain, and analyze comprehensive data regarding the scope and nature of its services. This includes things like the location of the individual served, the type of case, and the outcome achieved. Information from this database is used to monitor compliance with all funder requirements and commitments, including the MCLSF. LSE service and outcome data is reviewed on a regular basis by the LSE Executive Director and its Board of Directors, and extensive statistical and narrative reports are provided on a regular basis to other funders, including the Maine Bar Foundation, the United Way agencies, the Area Agencies on Aging, and the Office of Elder Services.

Summary

This report reflects just how vital the support of the Fund is to LSE's overall ability to provide legal services to Maine's elderly. MCLSF funding enables LSE to serve the entire state and to provide a full range of legal services from brief services to extended representations. The Fund also allows LSE to maintain stability in its existing level of services even as other sources of funding grow and shrink. LSE remains committed to working on behalf of Maine seniors to protect their safety, shelter, income, health, autonomy, independence, and dignity. The support provided to LSE by the Fund directly benefits the lives of Maine's elders by increasing and improving their access to justice, which in turn helps to assure a better overall quality of life for Maine's growing population of elders.

Respectfully submitted,

Jaye L. Martin, Executive Director

Legal Services for the Elderly--Geographic Distribution of Clients in 2007

	LSE STATISTICS		COUNTY STATISTICS[2]	
	Total Clients Served	**% of Total LSE Clients Served by County**	**% of Maine's 60+ Population by County**	**% of Maine's 65+ Population below 100% FPL by County**
Androscoggin[3]	225	8%	8%	9%
Aroostook	277	10%	7%	10%
Cumberland	488	18%	19%	14%
Franklin	54	2%	2%	2%
Hancock	110	4%	4%	4%
Kennebec	199	7%	9%	9%
Knox	66	2%	4%	3%
Lincoln	47	2%	3%	3%
Oxford	100	4%	5%	5%
Penobscot	475	17%	11%	11%
Piscataquis	49	2%	2%	2%
Sagadahoc	59	2%	2%	2%
Somerset	77	3%	4%	5%
Waldo	72	3%	3%	3%
Washington	108	4%	3%	6%
York	331	12%	14%	12%
Total	**2737**[4]	**100%**	**100%**	**100%**

[2] U.S. Census 2000. Note: LSE serves clients with economic needs and social needs. This means the poverty statistics included in this chart provide at best a general picture of the geographic distribution of seniors who may have the greatest need for legal services.
[3] The counties where LSE maintains an area office are indicated in bold for easy reference.
[4] This is slightly less than the total clients reported on page 2 due to errors in collecting data on county of residence.

Legal Services for the Elderly--2007 Detailed Case Type Report

CASE TYPE	CY 07
CONSUMER/FINANCE	
Bankruptcy	41
Collection/including Repossession	576
Contracts/Warranties	36
Credit Access	6
Energy (other than Public Utility)	3
Loans/Installment Purchase	29
Public Utilities	15
Unfair Sales Practices	55
Other Consumer/Finance	131
Auto Purchase & Repair	58
Funeral/Burial/Arrangements	11
TOTAL	**961**
EMPLOYMENT	
Wage Claims	0
Wrongful Discharge	8
Pensions	4
Other Employment	17
TOTAL	**29**
FAMILY	
Grandparent Rights	10
Annul/Divorce/Separation	45
Guardianship/Conservatorship	12
Guardianship - Defense	14
Guardianship - Petition	8
Name Change	6
Custody/Visitation	14
Other Family	36
TOTAL	**145**
HEALTH/COMMUNITY BASED CARE	
Medicaid	37
Medicaid - Eligibility Determination	137
Medicaid - Spousal Impoverishment	7

Medicare	28
Medicare – SLMB and QMBY	3
Medicare - Medigap Insurance	1
Health Insurance Issues	11
Home Health Care	17
Nursing Home Issues	47
Advance Directives	198
Medical Malpractice	9
Other Medical	44
TOTAL	**539**
HOUSING	
Eminent Domain	1
Fed Sub Housing Rights	134
Homeownership/Real Property	168
Landlord/Tenant (other than Public Housing)	105
Other Public Housing	1
Property Tax Issues	21
Foreclosure/Forfeiture	53
Real Estate Transactions	56
Home Repairs	75
Neighbor Disputes	45
Other Housing	40
TOTAL	**699**
INCOME MAINTENANCE	
Food Stamps/Commodities	20
Social Security	48
SSI	16
Unemployment Compensation	4
VA Benefits	9
Workers'Compensation	1
Other Income Maintenance	13
TOTAL	**111**
INDIVIDUAL RIGHTS	
Immigration/Naturalization	3
Mental Health	1
General Durable POA	270

Age Discrimination	1
Physical Abuse	9
Elder Abuse/Financial Exploitation	91
Neglect	9
Crime Victims	7
Other Individual Rights	14
TOTAL	**405**
MISCELLANEOUS	
License (Auto & Other)	7
Torts	40
Wills/Estates	179
Estate Planning	57
Estate Administration	71
Income Taxes	6
Traffic/Criminal	12
Attorney Grievance	0
Other Miscellaneous	134
Low Cost Drug	
TOTAL	**506**
TOTAL	**3395**

Maine Equal Justice Partners

2007 Annual Report to the Maine Civil Legal Services Fund Commission

January 15, 2008

Maine Equal Justice Partners (MEJP) is pleased to provide the Maine Civil Legal Services Fund Commission with its annual report for 2007.

BACKGROUND

Maine Equal Justice Partners (MEJP) is a non profit legal services organization created in 1996 in response to the void left when Pine Tree Legal Assistance (Maine's sole grantee of the federal Legal Services Corporation) was prohibited by Congress from representing low-income individuals in class action law suits, administrative and legislative advocacy.[1]

In addition to representing low-income individuals in the courts, before administrative agencies and in the Legislature, MEJP provides direct legal services, conducts policy research and analysis, and provides education and training both to low-income people and the social service providers who assist them. MEJP's mission is to improve the systems and supports that affect people with low-income so that they may live with dignity and economic security. In order to carry out its mission, MEJP focuses its work on issues that affect people's daily lives – access to adequate health care, food assistance, income supports, housing issues, fair working conditions, and higher education and training opportunities.

Maine Equal Justice's advocacy is on behalf of and informed by our client, the Maine Association of Interdependent Neighborhoods (MAIN). MAIN is a statewide coalition of low-income individuals and groups, formed in 1980 for the purpose of creating a network of people and organizations that seek economic and social justice for Maine's low-income families. MAIN members number close to 2000 and include women on welfare, people with disabilities, rural workers, tenant organizations, neighborhood councils, and Head Start programs, among others.

MEJP's staff meets monthly with MAIN members to learn about emerging issues that low-income individuals are facing, to update MAIN members about administrative and legislative issues that affect public benefit programs and to provide MAIN members with information on public assistance programs. We also hold client meetings with MAIN's leadership team when issues arise in between monthly meetings that require immediate assistance. The issues of concern raised during regular monthly and ad hoc meetings are the items MEJP pursues in every forum necessary. MEJP regularly seeks MAIN members to participate in administrative advocacy where members share their stories and experiences with administrative and legislative officials and put a human face on issues and regulatory proceedings.

[1] No funds from the Maine Civil Legal Services Fund are used to support MEJP's legislative work.

INFORMATION REQUESTED by the COMMISSION

The Maine Civil Legal Services Fund funded approximately 29% of Maine Equal Justice's operational budget for 2007. Therefore, MEJP relies upon money received from the MCLSF to support all four types of legal services described below.

1. *The types of cases handled by the organization as a result of money received from the Fund;*

Since MEJP's creation, it has been providing free, high quality legal services to all socially and economically needy individuals – individuals with income below 150% of the Federal Poverty Level (FPL). MEJP also assists individuals with incomes below 200% of FPL with regard to health care. Our legal representation is limited to public benefits law, including MaineCare eligibility and benefits, prescription drug assistance programs for the elderly and the disabled, Temporary Assistance to Needy Families, alternative aid, food stamps, general assistance, low wage worker issues, higher education and training programs, and miscellaneous housing related programs offered through the Public Utilities Commission and the Maine State Housing Association.

MEJP offers several different levels of service in an attempt to provide services to the greatest number of people possible. The four types of services offered are as follows: (1) brief services, advice and referrals to clients located statewide; (2) extended representation by MEJP's Director of Litigation and paralegal; (3) administrative advocacy; and (4) training and outreach.

Brief Services, Advice, Referrals *and* Extended Representation

MEJP provides brief services, advice and referrals to clients throughout the state via our toll free number Monday through Friday. Because MEJP's work focuses on public benefit programs, other legal issues are referred to other legal services organizations or the appropriate administrative agency. In addition to receiving calls via the toll free number, MEJP often provides legal services to members of MAIN and those individuals and/or social services agencies who are assisting individuals applying for benefits or appealing denial of benefits.

In 2007, MEJP opened 151 cases, representing individuals from all sixteen Maine counties. These cases entailed the provision of advice, brief services, and negotiation, requiring multiple contacts with administrative agencies to resolve the issues. In addition to this type of intake, MEJP provides paralegal services that require less intensive assistance, such as advice or referral only. In 2007, this type of assistance was provided to 95 social service providers and/or advocates and 285 individuals calling with regard to public benefit cases, family law issues and other issues affecting their well-being and economic security.

MEJP identifies cases for possible litigation through direct contact with individual MAIN members as well as clients that are referred to us from other legal service providers, and problems that remain unresolved by administrative advocacy. When possible, MEJP opts for negotiation to achieve its goals of systemic reform, resorting to resolution in court if this approach fails. In 2007, MEJP was particularly successful in negotiating potential litigation issues with the State. Many of these issues were brought on behalf of an individual client and some were in conjunction with policy issues being pursued in the administrative

advocacy arena. The cases outlined below represent the breadth and scope of the issues that MEJP pursues.

- An elderly client contacted MEJP after MaineCare denied coverage of dentures. MEJP informed the Department of Health and Human Services (DHHS) that State regulations that denied coverage for dentures conflicted with State law. DHHS agreed to cover dentures for this client and to revamp regulations to follow the statute.

- A pregnant client was unable to access health care services due to lack of transportation. The State through its MaineCare program had opted to cover pregnant women prior to a full application, i.e. coverage of *presumptively eligible* women, per federal Medicaid law. Maine's system for providing this coverage, however, was not set up in compliance with federal rules. MEJP was successful in getting DHHS to not only provide coverage for the client but to also change its rules to ensure compliance with federal Medicaid law.

- The client is a disabled child who requires a power wheelchair/scooter for mobility purposes. Her request that MaineCare provide her with a power wheelchair/scooter was denied. MEJP determined that in denying coverage of the equipment, MaineCare had applied standards applicable to adults and that were more restrictive than federal law permitted. MEJP settled this case, which resulted in MaineCare agreeing to pay for the repair of donated equipment. MEJP will now be working to ensure that MaineCare applies the less restrictive guidelines for children in the future when evaluating these requests.

- A 32-year old man suffering from Huntington's disease, a deadly neurological degenerative disease that also causes cognitive impairments and mental illness, wanted to return to Maine for treatment and to be near his family. MaineCare had placed the client at an out of state rehabilitation hospital, because it believed that no facility or provider in Maine could provide appropriate services for him. MEJP determined that although the client was in a relatively safe placement, it was a more restrictive setting than necessary. MEJP was able to convince officials at the Maine Department of Health and Human Services (DHHS) that it violates both the Americans with Disabilities Act and the Medicaid Act to deny the right of a severely disabled person to return to Maine for treatment of their conditions. As a result, the client returned to Maine to receive treatment near his family. In addition, MEJP is working with the DHHS and a broad group of stakeholders to make changes to Maine's policy so that other similarly situated low-income individuals can receive the care they need near their families.

- DHHS has contracted with an outside entity to determine eligibility for certain types of mental health services covered in MaineCare. MEJP informed DHHS that under federal Medicaid law and under applicable consent decrees, the notices that the contractor proposed to use were unlawful. When administrative advocacy failed to persuade DHHS to comply with the consent decrees, MEJP indicated its intent to pursue litigation if necessary. DHHS has now agreed to work with MEJP to ensure that the new notices comply with applicable legal requirements.

- Several years ago, MEJP worked to secure additional funding for non-profit dental health centers. One provision of the law requires DHHS to maximize the use of available federal matching funds. DHHS has not implemented this requirement, resulting in a loss of a significant amount of federal funds. MEJP has informed DHHS that the current program violates the statute. DHHS has indicated an intention to change the policy to ensure maximization of funds.

Administrative Advocacy

In 2007, MEJP was successful in creating systemic change through its administrative advocacy. In addition to numerous negotiations with staff of various administrative agencies, MEJP provided comments in administrative rulemakings, and participated in a wide range of boards, committees, and commissions to improve the systems and supports available to low-income people. Representing the interests of MAIN, MEJP participated in over 16 administrative rulemakings.

Health Care – MaineCare

- Chapter I of the MaineCare Benefits Manual – Definition of "medically necessary". The primary issue in this set of rules was the adoption of a definition for "medically necessary" to guide the approval process for MaineCare covered services. MEJP was part of a group that worked with DHHS to come to a consensus on the content of the rule. The final definition, while not perfect, was significantly better than the originally proposed definition.

- Chapter II, Section 80 of the MaineCare Benefits Manual – Tamper-proof prescription pads: The DHHS proposed rules to implement new federal requirements for the use of tamper-proof prescription pads and to limit MaineCare coverage of brand-name drugs when a generic equivalent exists. MEJP was concerned about adding additional and burdensome requirements to MaineCare providers who then might leave the MaineCare program. MEJP was also concerned about limiting access to certain brand-name drugs in some limited circumstances. Although its comments were not adopted, Congress imposed a delay on the tamper-proof prescription pad requirement and DHHS agreed with our position regarding use of generic drugs, but determined that its proposed language sufficiently addressed this issue.

- MaineCare Eligibility Manual – Medicare Savings Program (prescription drug assistance): MEJP proposed, and DHHS adopted, rules and policies to significantly increase the number of low-income elderly and disabled people who can participate in the Medicare Buy-in or Medicare Savings program. The benefit of this expansion of the rules and policies is that individuals no longer have to pay their Medicare Part B premiums, nor pay their Part D (prescription drug) premiums or deductibles and their co-payments are substantially reduced. For some people, MaineCare will also pay their Part A and Part B deductibles and co-insurance.

- MaineCare Eligibility Manual – Citizenship & Identity Rules: MEJP worked closely with DHHS in its adoption of rules and policies to implement the new federal requirement that MaineCare applicants and recipients document their citizenship and

identity as a condition of receiving MaineCare. The resulting rules closely followed the comments MEJP submitted.

- MaineCare Eligibility Manual – Assets and Estate Recovery: MEJP submitted comments regarding proposed rules to implement new federal requirements related to transfer of assets and estate recovery. MEJP was primarily concerned with ensuring the availability of a "hardship" waiver. Its comments were accepted in part.

- Chapter 201 Office of Child and Family Services – Substantiation Rules regarding Child Abuse and Neglect: MEJP provide multiple comments with regard to the proposed rules for substantiation. MEJP made several due process arguments and highlighted ambiguous portions of the proposed rule that were likely to confuse and impinge upon individuals' right to due process. These rules have not been promulgated at this time.

HealthCare – DirigoChoice

- DirigoChoice – Definitions of Uninsured and Underinsured: MEJP made recommendations that would have made it easier for individuals under 300% of FPL to enroll in DirigoChoice. The proposed rules were never promulgated.

Food Stamps

- Food Stamp Work Program: MEJP submitted comments to DHHS, regarding a proposal to increase work requirements for Food Stamp recipients who do not have children and do not fall into any other exempt category, e.g. elderly and disabled. The proposed expansion to the work program would have contradicted the DHHS' earlier position on this issue. MEJP submitted comments that convinced the DHHS to not adopt the rule change.

- Transitional Food Assistance: This benefit provides up to five months of food stamps to families who are transitioning off the TANF program, yet still struggling to make ends meet. After years of advocacy on the part of MEJP, DHHS issued proposed rules to implement the benefit. MEJP recommended that the DHHS clarify the reporting requirements for recipients of this program and implement eligibility standard no more restrictive than those included in the federal law. Final rules have not been promulgated

- Food Stamp for Purchase of Food in Restaurants: Federal law provides that certain elderly, disabled and homeless people may be allowed to purchase food at a restaurant, using their food stamps, if the restaurant adheres to certain conditions. DHHS proposed elimination of this provision. MEJP's comments convinced the Department to retain the option.

Temporary Assistance to Needy Families (TANF)

- Maine's Work Verification Plan: MEJP commented on the State Plan Amendment for Maine's new federally required TANF work verification plan. Several of MEJP's comments were adopted resulting in increased flexibility for families to meet certain requirements.

Consumer

- Predatory Lending: MEJP submitted comments to the Department of Professional and Financial Regulation with regard to proposed rules implementing Maine's new predatory lending statute. Primarily, MEJP was concerned that the proposed rules eliminated a borrower's right to sue once the loan was more than 3 years old. We opposed this limitation because it was contrary to the language of the statute and would frustrate the purposes of the law. The Bureau of Consumer Credit protection eliminated the 3-year limit on the right to sue.

Higher Education

- Competitive Skills Scholarship Program: A new program, adopted by the Legislature in 2007, will assist low-wage workers with certain expenses so that they can pursue secondary education and training. MEJP made a number of recommendations to the proposed rules, issued by the Department of Labor that, if adopted, would increase income supports, choice and access for low-income individuals seeking access to this new training fund. Final rules have not been promulgated at this time.

Employment

- Limited English Proficiency: MEJP represented clients who do not speak English and consequently did not understand the written notices that they had received regarding their unemployment benefits. MEJP proposed that the Maine Department of Labor adopt policies to ensure access to those with Limited English Proficiency. Working with the Department and with Pine Tree Legal, we were successful in getting policies adopted to ensure that those with Limited English Proficiency have adequate access to the Department's services.

Housing

- Low-income Heating Assistance Program (LIHEAP): MEJP requested that Maine State Housing Association (MSHA) adopt a policy to exclude income generated through a Social Security-approved Program to Achieve Self Sufficiency plan, when determining eligibility for LIHEAP. MSHA adopted MEJP's proposal.

Utilities

- Telephone and Electricity Issues: MEJP submitted comments to the Maine Public Utilities Commission regarding several issues: 1) rules to provide access to public phones (formerly pay phones) to provide access for low-income people to the use of publicly accessible phones to use for emergencies and to reach areas of the state that provide needed social and financial services; 2) rules to increase the funding for the Electric Lifeline Program which provides for subsidized electric rates for certain low-income people; 3) rules to make changes in the existing winter utility termination rules. The Public Utilities Commission adopted the majority of MEJP's suggested revisions to the proposed rules.

Training, Education and Outreach

In addition to direct client representation, MEJP provides information to clients, providers and the general public through training and education presentations throughout Maine. In 2007, MEJP reached over 1,000 individuals through workshops and conferences. We provided information on a wide range of topics, including specific MaineCare issues such as the non-categoricals and prescription drugs as well as general information

regarding MaineCare; TANF/ASPIRE; Parents as Scholars; food stamps; Dirigo Health; Alternative Aid; General Assistance; and citizenship verification requirements for MaineCare enrollment.

Our training, education and outreach is supplemented by our website (www.mejp.org), which contains a wealth of client education materials and information on MaineCare, TANF/ASPIRE, Parents as Scholars, Medicare Part D, prescription drugs, food stamps, alternative aid, Maine Medical Assistance Program and more. In 2007, our website had 191,437 visits with over 408,081 pages viewed regarding MaineCare eligibility, electronic benefits transfer, food stamp program, Maine's Medical Assistance Programs, utilities, ASPIRE-TANF, and Parents As Scholars.

2. *The number of people served by the organization as a result of the Award received from the Fund;*

As a result of MEJP's mission and its focus on systemic issues, the exact number of people served by MEJP is hard to estimate. Given the direct and indirect impact of our work, we estimate that MEJP served the following numbers of Maine people in 2007:

Activity	Number of People Served (not unduplicated)
Official intakes – Advice; brief services; negotiated settlements	151
Advice and Referral – Advocates/social service providers	95
Advice and Referral – Individuals	285
Administrative Advocacy – all public benefit programs	330,000
Training, Education & Outreach – presentations	1000+
Training, Education & Outreach – website visits	191,437

3. *Demographic information about the people served as a result of money received from the Fund;*

MEJP offers free legal services to individuals with income below 150% of the Federal Poverty Level (FPL). In some instances, primarily health care related matters, MEJP provides free legal services to individuals with income up to 200% of FPL.[2] We focus specifically on efforts to benefit:

[2] MEJP provides free legal services for individuals with income up to 200% of FPL with regard to health care coverage issues, because Maine's MaineCare program provides health care coverage for parents up to 200% of FPL.

- Approximately 12,460 families, including 22,500 children who receive TANF benefits and 770 TANF parents receiving Parents as Scholars benefits;
- Approximately 300,000 families and individuals (in any given month) who receive MaineCare benefits;
- Approximately 75,000 elderly and disabled individuals who are eligible for prescription drug assistance;
- Approximately 85,000 families, representing over 169,000 individuals, who receive food stamp benefits;
- Low-wage workers and their families whose wages are below 150% of the poverty guidelines; and
- Dislocated workers who have lost their jobs due to lay-offs, shutdowns, and plant closings.

4. *The geographical area actually served by the organization as a result of money received from the Fund;*

In 2007, Maine Equal Justice provided all four types of legal services described above to individuals residing in all sixteen counties.

5. *The status of the matters handled, including whether they are complete or open;*

Of the 151 cases that received brief services, advice, referral and extended representation, 124 cases have been closed and 53 are pending. Of the 124 cases that have been closed, MEJP achieved favorable results for its clients in 74 instances. Of the 380 advocate and individual calls that were placed to MEJP all were returned and advice and/or information and referrals were provided.

MEJP's administrative advocacy with regard to various public benefit programs that it works on is ongoing. With regard to rulemaking, however, of the sixteen comments submitted on various public benefit programs, twelve of the comments MEJP submitted were adopted in whole or in part.[3]

6. *Whether and to what extent the recipient organization complied with the proposal submitted to the Commission at the time of application for funds.*

MEJP complied in all respects with the proposal submitted in November 2005. MEJP has maintained all services described in the proposal. Because MEJP's mission it to improve the systems and supports that affect people with low income so that they can live with dignity and economic security, if we deviated from our proposal at all it was to increase the access to justice for low-income individuals by expanding the breadth and depth of the number of issues we undertook.

7. *Outcomes measurements used to determine compliance.*

As mentioned in response to question #6, because our proposal was based upon our mission and the core legal representation and substantive work that we pursue, the outcome

[3] Three rulemaking procedures that MEJP commented on have not been promulgated as of this time, so the extent of MEJP's impact on the proposed rules is currently unknown.

measurements we use to determine our ability to bring about systemic reform is applicable to determining compliance with our proposal.

- Brief services, advice, referrals and extended representation: MEJP measures its success by the number of cases resolved favorably and in which litigation was avoided through negotiation.

- Administrative Advocacy: MEJP measures its success by the extent to which its rulemaking comments are accepted in whole or in part; by policy changes made at the administrative level as a result of MEJP's proposals; the number of task forces, work groups and commissions MEJP is appointed to or asked to participate on; and the number of requests from the State for MEJP's analysis and assistance with meeting federal requirements.

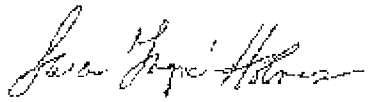
- Training, Outreach and Education: MEJP measures its success by the extent of its outreach and training activities throughout the state and the number of individuals trained during the year. MEJP believes that the number of requests for trainings and our success in providing valuable information are due to the fact that various social service organizations and advocates view MEJP as a valuable legal resource and expert on issues affecting low-income individuals. MEJP's training and outreach sessions included a diverse number of organizations including but not limited to, social service providers, provider associations, community actions programs, homeless shelters, tenants organizations, domestic violence programs, Head Start parent groups, seniors, disability rights groups, municipal representatives and grass root coalitions. The evaluations sheets submitted by workshop and training participants were very favorable and requested periodic updates regarding changes to policies.

  Another importance outcome measurement is the number of visits and pages downloaded on our website, which provides in-depth client education materials, our MAIN update, and changes to current policies. The number of pages visited in 2007 totaled 408,081, an increase of 9,082 page views compared with 2006.

CONCLUSION

MEJP is extremely dependent upon funding from MCLSF to support its work. Quite simply, our organization could not exist without this funding; it supports our core work of improving access to justice for low-income Mainers. We are very grateful to MCLSF for making the work of MEJP possible. On behalf of the Board, staff, and clients of Maine Equal Justice, we thank the Commission for its continued support.

Respectfully submitted:



Sara B. Gagné-Holmes
Executive Director

Maine Volunteer Lawyers Project
Report to the Maine Civil Legal Services Fund Commission
January 2008

Overview

The Maine Volunteer Lawyers Project (VLP) is pleased to submit this year-end narrative report on its operations and services provided to low-income Mainers during 2007. Funding from the Maine Civil Legal Services Fund (MCLSF) enabled VLP to continue to provide a wide range of legal services to thousands of clients and to further develop its operational and organizational capacity.

VLP was formed in 1983 as a joint project of the Maine Bar Foundation and Pine Tree Legal Assistance for the purpose of organizing, encouraging, and coordinating the *pro bono* efforts of private attorneys on behalf of low-income Maine residents with civil legal problems. VLP services are limited to poor Mainers, generally those individuals whose gross household incomes are at or below 200% of the federal poverty guidelines and whose net incomes following the deduction of certain basic living expenses fall at or below 125% of the federal poverty guidelines. Clients are also subject to asset limitations based on household size. (These eligibility requirements are determined by the federal Legal Services Corporation, which provided approximately 22% of VLP's overall funding in 2007.)

VLP has three broadly stated goals:

- to maximize private bar involvement in providing *pro bono* legal representation and assistance to low-income clients;
- to focus VLP services on the most pressing legal needs of clients; and
- to give all individuals contacting the VLP some meaningful information and assistance with their legal problem.

Initial requests for assistance are made through a statewide telephone Hotline staffed by non-attorney volunteers and supervised by VLP staff in its main Portland office. Hotline volunteers screen all prospective clients for eligibility and provide every caller with legal information relevant to their problem, together with referrals to other organizations where appropriate. Some callers may also receive written legal education materials developed by Pine Tree Legal Assistance for Maine consumers.

Law students and participating *pro bono* attorneys provide limited legal services through several special VLP initiatives: a weekly Family Law Helpline, the Domestic Violence *Pro Bono* Panel, and a new Family Law Forms Clinic operated at the Portland District Court. Clients for the Helpline are referred to it by VLP intake volunteers; the clients for the Domestic Violence *Pro Bono* Panel and Family Law Forms Clinic are typically self-referred during court hours.

In addition, VLP utilizes attorney volunteers to refer cases for full *pro bono* representation (and occasionally for more limited service) to private attorneys around the state both from its Portland office and from a satellite office in Bangor. Cases are chosen for referral for *pro bono* representation or assistance via the Family Law Helpline or Domestic Violence Panel based on a series of service priorities which are periodically reviewed by the VLP Advisory Committee and staff. In general, these priorities are designed to ensure that VLP's services complement the assistance provided by Maine's other legal service providers and that the impact of donated legal services is maximized.

VLP has been a recipient of MCLSF funding since the Fund's inception in 1998. In addition to supporting the project's overall provision of client services through all the mechanisms described above, MCLSF funding is used to support *pro bono* representation for a small number of clients with particularly compelling cases who do not meet the restrictive criteria imposed by other funding sources. MCLSF funding also may be used when a private attorney contacts VLP requesting permission to provide *pro bono* representation to a particular client who falls within VLP's service priorities but does not meet the letter of VLP's traditional eligibility requirements. MCLSF funding makes it possible for VLP to provide support and encouragement to these attorneys' commendable *pro bono* efforts without violating restrictions on other sources of program funding.

In 2007, MCLSF funds represented 16% of VLP's total funding.

Cases Handled in 2007

While year-end numbers are not yet finalized (and therefore may ultimately vary slightly from what is reported here), our current data suggests VLP Hotline volunteers conducted intake interviews and provided legal assistance to clients in more than 3,000 new cases.

VLP "lawyers of the day" referred a total of 463 new cases to the private bar for *pro bono* representation. In addition, *pro bono* volunteers with the Family Law Helpline provided 809 consultations on an individual or ongoing basis to self-represented family law litigants.

VLP also provided support to *pro bono* attorneys on more than 1,000 cases opened and referred prior to 2007, including many referred utilizing MCLSF funding in previous years. Cases opened and referred in 2007 break down in the following manner (cases supported by MCLSF funding are highlighted):

Case Type	Total Cases Opened	Total Cases Referred for *Pro Bono* Representation	Additional *Pro Bono* Cases Supported Exclusively by MCLSF Funding
Consumer	689	79	10
Education	9	1	0
Employment	27	1	0
Family	2751	238	21
Juvenile	4	0	0
Health	5	1	1

Housing	313	52	5
Income Maintenance	361	60	2
Individual Rights	16	1	0
Miscellaneous (Torts, licenses, wills & estates, etc.)	180	30	2
TOTAL	**4355**	**463**	**41**

Clients Served in 2007

VLP's direct services benefited 4,355 Maine households and an estimated 10,379 individuals in 2007. Of this number, 41 households (representing an estimated 115 individuals) were served exclusively with MCLSF funding. Clients served exclusively with MCLSF funds were predominantly white (95%), female (64%), and English-speaking (98%). Twenty percent of MCLSF households had at least one disabled member.

Additionally, MCLSF funds supported wide-scale improvements in VLP's website. In 2007, there were 96,877 visits to the VLP's website (an increase of more than 50% from 2006), 212,549 page views and 27,778 PDF downloads. While it is not possible to estimate how many of these visits were made by Maine residents eligible for legal services through VLP, we know that many low-income Mainers are finding assistance, including links to other legal services providers, through VLP's website and we anticipate that this number will continue to increase.

Geographic Areas Served in 2007

Again based on preliminary data, the geographic distribution of VLP clients is shown below by county:

County	Total VLP cases handled in 2007	Percentage of MCLSF Cases Opened	Percentage of MCLSF Cases Referred for *Pro Bono* Representation
Androscoggin	7%	10%	0%
Aroostook	3%	5%	0%
Cumberland	32%	32%	33%
Franklin	1%	5%	11%
Hancock	3%	5%	11%
Kennebec	9%	2%	0%
Knox	2%	0%	0%

Lincoln	1%	5%	0%
Oxford	4%	0	0%
Penobscot	11%	10%	11%
Piscataquis	2%	0%	0%
Sagadahoc	2%	5%	11%
Somerset	4%	2%	0%
Waldo	3%	0	0%
Washington	2%	2%	0%
York	13%	12%	22%

Status of 2007 Matters

The VLP completed work on 3,294 cases in 2007.

The 729 cases closed through the Family Law Helpline, were closed as follows:

- 265 cases were closed after a discussion of the client's problem and advice on next steps;
- 450 cases were closed after the provision of additional services, including assistance with legal forms;
- 14 cases were closed for other reasons.

The 112 cases closed through the DV *Pro Bono* Panel, were closed as follows:

- 1 cases was closed after the provision of additional services but not full representation;
- 62 cases were closed after a formal negotiation outside the context of litigation;
- 46 cases were resolved with a court decision;
- 3 cases were closed for other reasons.

The 812 cases closed after referral by a "Lawyer of the Day" to a private attorney were closed as follows:

- 6 cases were closed after a discussion of the client's problem and advice on next steps;
- 76 cases were closed after provision of additional services, including assistance with legal forms or informal negotiations with an opposing party;
- 85 cases were closed after a formal negotiation outside the context of litigation;
- 234 cases were closed after a formal negotiation involving some litigation;
- 64 cases were closed after a full court or administrative hearing;
- 257 cases were resolved with a court decision;
- 90 cases were closed for other reasons.

The 110 Family Law Forms Clinic cases closed were closed as follows:

- 6 cases were closed after a discussion of the client's problem and advice on next steps;
- 104 cases were closed after provision of additional services, including assistance with legal forms or informal negotiations with an opposing party.

Compliance of Services Delivered to Services Proposed

In its application to the Maine Civil Legal Services Fund for 2007, VLP proposed using its MCLSF Funding to support general legal services to clients from around the state in all areas of law and at all levels of service including: brief legal assistance via the Hotline; brief legal advice via the Family Law Helpline, and limited and full *pro bono* representation provided by volunteer attorneys. As reported above, VLP provided legal assistance, advice, and representation to clients across Maine in a wide variety of legal areas. Client services supported by MCLSF funding ranged from the provision of brief information and assistance to extended representation in cases that will continue well beyond 2007.

Outcomes Measures Used to Determine Compliance

VLP utilizes a number of systems and measures to document information about the clients it serves, case types, and outcomes. An intake interview which includes the collection of demographic, geographic, eligibility, and case data is conducted for each case and the client and case data is entered into VLP's computerized case management system, Practice Manager. Each case is assigned codes indicating law type, funding source, level of service provided (including the total number of volunteer and staff hours) and, at the time of the case's completion, case outcome. Clients selected for service from a volunteer attorney must submit additional documentation including a signed financial and citizenship eligibility form.

For cases referred to volunteer attorneys, VLP requires regular reporting on case progress including the number of hours donated and the final case outcome. Case reporting forms are sent to volunteer attorneys three times per year and attorneys who do not report regularly are contacted by staff to ensure the case is progressing appropriately. Additionally, VLP staff maintains contact with all clients with cases open with volunteer attorneys.

Conclusion

By organizing donated services of private attorneys and community volunteers, VLP is able to leverage extraordinary levels of legal service for Mainers. In 2007, the value of services donated to low-income clients under the auspices of VLP exceeded $2 million. MCLSF funding was critical to supporting VLP in 2007 in its efforts to expand and

improve the delivery of legal services to low-income Mainers through the work of volunteers.

Respectfully submitted,

Lin Martin-Hunt
Volunteer Coordinator
Maine Volunteer Lawyers Project