

Professional Surveys

Justice Action Group Statewide Planning Project

PROFESSIONAL SURVEY RESULTS

(These tallied results do NOT include the Zoomerang results regarding the same questions.
Results are out of 109 surveys)

1. Please check all of the following you believe to be problems experienced by people in accessing Maine's civil legal system:

36	Lack of awareness that they have a legal problem
69	Lack of awareness of the availability of legal aid
93	Over income for legal aid but lack money for private attorney
61	Financially qualified for legal aid, but told legal aid cannot assist
67	Limited <i>pro bono</i> resources
57	Lack of awareness of alternatives to full representation by an attorney
60	Lack of ability to find or use self-representation tools
48	Lack of local legal aid office
20	Limitation of legal aid office hours
82	Inability to read/understand and respond to legal documents
55	Lack of transportation to reach assistance
22	Phone lines are busy
17	Absence of toll-free number
5	Lack of physical accessibility or accommodations for the disabled
17	Lack of translators or interpreters
12	Immigration status poses barriers to accessing assistance
X	No agency offers free or low cost assistance with the following legal issues (please list):

- Very limited resources in the rural areas—"two Maines"
- low or not cost GALs for contested family law issues
- divorce or family law issues
- Defense against PFA, legal aid only takes case where abuse is claimed
- foreclosures
- lack of services in Franklin county
- bankruptcy, criminal matters, and small claims
- family law
- divorce/family law, debt collection
- child custody, job discrimination
- people who want to pursue contempt motions in FM cases can't find lawyers
- limited resources in rural Maine
- Resources for battered men
- PFA/PFH cases
- difficult divorces/custody issues, including out-of-state ones
- wrongful termination or refusal to hire
- qualifying for a disability
- mistrust of attorneys/legal system
- divorce, custody, child support enforcement, contempt, landlord/tenant issues, small claims
- divorce, PR&R, PFA
- Family Matters, divorce, custody, foreclosures, FED
- consumer issues

- criminal, juvenile, brief assistance or walk-in services
- defense for protective cases, bankruptcy, post-divorce
- unjust removal of children from low-income families
- wrongful termination of social security benefits
- debt collection
- divorces, child custody
- employee-related problems.
- custody issues, child support, landlord/tenant disputes
- custody issues, SSI issues, renter's issues
- divorce and parental rights and responsibilities
- representation of parent in contested child guardianship matters
- representation of grandparents in contested child guardianship matters
- representation of low-income clients in divorce and custody and separation matters not involving abuse
- just reading and interpreting paperwork is all that's needed
- mortgage foreclosures
- criminal issues

X **Lack of resources for self-representation on the following legal issues:**

- Need more information on means to collect debt, i.e., disclosure, small claims, etc
- gen. civil cases
- need primer on rules of evidence (esp. for discovery process)
- Child custody; social security appeals
- Appeals for unemployment, worker's compensation and child support decisions
- Video or audio resources
- divorces, child custody
- packets on family law, collections (small claims), FED's
- workers' comp
- unemployment
- job issues: harassment, termination

X **Please list others:**

- Increasing population of non-English speaking nationalities needing cultural assistance as well as language, legal assistance
- court schedule conflicts with work schedule, so people don't continue case
- inability to pay for GAL/low quality GALs
- problems for teens
- lack of / failure to use mediation and arbitration services
- legal assistance for non-English speaking cultures
- access to GAL in Family matters, access to substance abuse/mental health services
- defense in PFA cases
- exhaustive pre-trial scheme in domestic litigation actions
- in general it is very difficult for low-income people to get access to needed legal services, especially because what services exist are horrendously under-funded and understaffed, as well as under publicized. Additionally, it is very difficult to access info. Regarding your legal rights
- Only one non-profit in the area helps with family law issues
- lack of revenue for family law nonprofits

2. Please list any special difficulties or barriers not covered in the previous sections:

- Basic lack of education or understanding of the role of the courts and how they work. Over expectations or lack of awareness of court resources available. Lack of basic understanding of ability to work with an attorney and make arrangements consistent with income for fee payment
- Pro se litigants who believe they are capable of handling a matter but clearly need help/advice
- frustration with clerks who can't give legal advice
- contractor problems

- low literacy
- understanding/effectuating appeal rights
- not enough practicing lawyers in rural areas
- knowledge on where to find resources for particular situation
- language barriers/need translators
- lack of understanding/education regarding the legal system
- limited professional supervision services (too expensive)
- problems faced by immigrants fearful of being thrown out of country
- Classism
- deeply rooted economic injustice
- Isolated, hard of hearing elders who lack transportation to attorneys 100+ miles away.
- emancipation/teens living on their own w/out emancipation status
- on child protective, domestic and family law cases, the poor are disadvantaged due to lack of sophistication which often translates into lack of capacity to parent.
- mental illness and the law—same train wreck it was 30 years ago.
- Low-income people’s civil legal problems are not limited to personal/family/financial issues. The inability to access legal services limits the ability of low-income people to equally participate in civil society.
- Lack of attorneys in northern Maine
- lack of free or subsidized legal aid in area of foreclosures

3. Please check each legal problem that you consider significant in your area of Maine, or among low-income or vulnerable people of whom you are aware:

	Don't know		Not Applicable
		<input type="checkbox"/>	
51	Debt collection (including court hearings and/or phone harassment)		
8	Federal taxes (filing or getting the earned income credit or refund check, etc.)		
6	State taxes (filing or getting refund, etc.)		
40	Bankruptcy		
42	Getting phones/heat/electricity installed or disconnected because of credit problems		
35	Consumer purchase/sales agreement that didn't work out as expected		
39	Problems with an auto purchase or repair		
38	Educational services for a child (including discipline or special ed)		
40	Job problems (hiring, firing, getting paid the right amount or on time, etc.)		
32	Problems with work-related injury and/or workers compensation		
16	Problems getting unemployment compensation		
82	Child visitation, custody or child support		
79	Enforcing the terms of a court order on divorce or parental rights		
53	Dealing with DHS on child support collection		
41	A DHS notice about child abuse substantiation		
33	Getting needed medical services for a parent or child		
40	Living in unsafe housing		
16	Paying property taxes on a home		
57	Problems with a landlord (including evictions)		
19	Discrimination in housing, work or accommodation		
40	Getting or keeping welfare benefits (TANF, food stamps, SSI, Medicaid, MaineCare)		
12	Getting or keeping veteran's benefits		
28	Being sued by someone		
66	Divorce		
18	Immigration issues (work permits, green cards, deportation defense)		
17	Impact of crimes on immigration status		
18	Juvenile justice		
66	Domestic violence		
	Others (please describe):		
	-abuse/misuse of PFA process		

- criminal issues, traffic violations, wills and estates
- Parental Rights and Responsibilities
- prisoner rights,
- civil issues for prisoners
- probate matters
- court appointed GALs in FM and PFAs to help court make child custody decisions
- easements and public roads, disputes with neighbors, dangerous dogs, concealed weapons, weapons and felons, deaths and burials, language and literacy barriers, criminal, probate, collecting on judgments in small claims
- substantiating cases of abuse, fraud and illegal conduct on the part of DHS workers. It is almost impossible for poor families to bring unlawful caseworkers to justice.
- Cumberland/York counties lack assisted living facilities in sufficient numbers. Elderly are placed in unsuitable housing
- Understanding how to effectively participate in land use proceedings (local/state)
- Problems in forming an organization for non-profit/charitable purposes

4. Please list any solutions or strategies you can think of which will alleviate these barriers to accessing Maine's civil legal system:

- Education, education, education. Get judges, lawyers, law students, court staff, etc. out into the communities and explain to people what is going on. Target public schools, social clubs, service clubs, immigrant service counselors, etc. Regular informational programs on TV, radio and columns in the newspaper, etc. We can't help people with things they don't know if we don't explain to them what they don't know they don't know. Then, very simply, we need more judges and supporting staff. We have all these programs to get people to court and then we can't take care of their needs in a timely fashion with the resources we have. We have more crimes and police but no more courts or judges. We have more civil laws providing causes of action but not more courts or judges to hear the cases. Time to bite the bullet
- provide low or no cost GALs in contested custody cases
- incentives for lawyers to move to rural Maine
- Vermont style seminar for pro se litigants/video of mock pro se trial
- simplify process/more advocates
- Legal aid offices in courthouses, staffed by paralegals and law students
- more use of ADR
- public education
- prevailing party get reasonable attorney's fees
- GALs in family matters, open seminars on court procedures
- more pro bono attorneys, easier access to paralegals
- access to law libraries to access legal info.
- help from staff in state agencies
- frontline people in all social service programs
- law student debt payment programs
- improve/expand use of unbundled services
- courthouse lawyer of the day for civil cases
- expand law school clinic
- court appointed subsidies for certain civil matters to provide a base income that would encourage new attorneys to seek employment or establish practice in rural areas, and in return enlarge the base of attorneys to provide pro bono services
- more legal aid in rural areas
- central website/clearinghouse for pro bono resources
- more funding/more offices in rural areas
- money for Pine Tree to add staff
- educate the community—target schools and clubs, produce radio, TV and newspaper info spots
- lawyer of the day for some civil dockets
- mediation services in FED actions and other emergency situations

- relaxing the rules of evidence and some other rules of procedure in family matter, disclosure, FED and private civil matters when relief sought exceeds small claims but is not more than \$10k
- pamphlets available at DHS, town offices and homeless shelters
- surcharge on judgments and settlements
- desperately need increased funding
- increased amount of “know your rights” material and increased publicity
- barriers (transportation, hours, location, types of cases) need to be reduced or eliminated
- Allies among professionals who care about economic justice and are willing to listen and respond to the needs of low-income people
- more access to information on the system and navigating it. Support for those doing pro bono work
- We need funds for Aroostook County and Downeast offices/attorneys for low-income and socially needy elderly people. Push legislation for more assisted living facilities
- more resources available, more education of public about what is available
- more people to assist with landlord problems
- more trained advocates, print materials keeping reading level/abilities in mind
- the psychological model currently used on family law is inherently prejudicial to the poor and somewhat prejudicial to woman and religiously active.
- Money. I was disturbed to see very low interest paid [on IOLTA accounts] by participating banks. My bank is only .5%. Have you tried to negotiate higher?
- Access to an ombudsman-type person or legal advocate for low-income qualifying persons
- assistance limited to few legal issues does not cover many needs

5. Towns

Alfred	Millinocket
Augusta (4)	Mount Desert
Bangor (15)	Old Town
Biddeford (3)	Portland (17)
Brunswick	Presque Isle
Calais	Readfield
Cape Elizabeth	Richmond
Caribou	Rockland
Cumberland	Saco (3)
Dover-Foxcroft (2)	Skowhegan (3)
Eagle Lake	Topsham
Eddington	Waldoboro
Farmington	Waterville (3)
Gorham	Wells
Harpswell	Westbrook
Herman	Wilton
Kittery	Winthrop
Lewiston (3)	Wiscasset (3)
Lincoln	Woodstock
Maples	York County

6. Respondent's Role:

Lawyer:	37
Judge:	24
Social worker:	21
Legal staff:	6
Student attorneys:	4
Magistrate:	1
Legislator:	1