

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1672

H.P. 1147

House of Representatives, April 24, 1991

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Speaker MARTIN of Eagle Lake.

Cosponsored by Senator GAUVREAU of Androscoggin, Senator HOLLOWAY of Lincoln and Senator BRANNIGAN of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

An Act to Establish the Maine Civil Legal Services Fund.

Be it enacted by the People of the State of Maine as follows:

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Sec. 1. 4 MRSA §18-A is enacted to read:

§18-A. Maine Civil Legal Services Fund established

1. Creation of fund. The Maine Civil Legal Services Fund, referred to in this section as the "fund," is established as a nonlapsing fund to support civil legal services provided by Pine Tree Legal Assistance, Inc.; Legal Services for the Elderly, Inc.; and the Cumberland Legal Aid Clinic of the University of Maine School of Law.

Money in the fund not currently needed to meet the obligations of these legal service providers must be deposited with the Treasurer of State to the credit of the fund and may be invested as provided by law. Interest on these investments must be credited to the fund.

Money in the fund must be disbursed by the Judicial Department in accordance with allocations approved by the Legislature to these 3 legal service providers pursuant to this section.

2. Fees established. The Administrative Office of the Courts shall establish procedures to allocate a portion of filing fees specified in and pursuant to the requirements of this subsection. All fees collected by the Administrative Office of the Court under this subsection must be deposited into the fund on a quarterly calendar basis.

A. Fees established under this subsection are levied upon each entry of a civil action or filing of a 3rd-party complaint in the District Court or Superior Court, except civil fines and traffic infractions .

B. In addition to the fees of the District Court or Superior Court for these filings, fees are imposed in the following amounts to be levied in each proceeding:

(1) On every filing in Small Claims Court, \$5;

(2) On every civil filing in District Court, \$10; and

(3) On every civil filing in Superior Court, \$25.

Sec. 2. Allocation. The following funds are allocated from the Maine Civil Legal Services Fund to carry out the purposes of this Act.

		1991-92	1992-93
2	Judicial Department		
4	Administrative Office of the Courts		
6	Positions	(.5)	(.5)
8	Personal Services	\$15,000	\$15,000
10	Pine Tree Legal Assistance		
12	All Other	\$1,090,000	\$1,090,000
14	Provides increased staff to		
16	meet goal of one Pine Tree		
18	Legal Assistance attorney per		
20	10,000 low-income state		
22	residents and increased staff		
	to improve access to civil		
	legal services by rural		
	residents of the State.		
24	Bureau of Elder and Adult Services - Legal Services for the Elderly		
26	All Other	\$640,000	\$640,000
28	Provides additional staff to		
30	meet increased demand for		
32	services by state residents		
34	who are 60 years of age or		
36	older and increased staff to		
	improve access to civil legal		
	services by rural residents		
	of the State.		
38	University of Maine School of Law		
40	All Other	\$35,000	\$35,000
42	Provides one 1/2-time faculty		
44	position at the University of		
46	Maine School of Law to teach		
	classes and supervise		
	students at the Cumberland		
	Legal Aid Clinic.		
48	TOTAL ALLOCATIONS	<u>\$1,775,000</u>	<u>\$1,775,000</u>

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STATEMENT OF FACT

This bill creates the Maine Civil Legal Services Fund for the purpose of providing free legal services to the poor. The services will be provided by Pine Tree Legal Assistance, Legal Services for the Elderly and the Cumberland Legal Aid Clinic.