

TESTIMONY OF MEAGAN SWAY, ESQ.

**LD 564 – Ought to Pass**

**An Act to Improve Access to Civil Legal Services**

Joint Standing Committee on Judiciary

March 21, 2023

Senator Carney, Representative Moonen and distinguished members of the Joint Standing Committee on Judiciary, greetings. My name is Meagan Sway, and I am policy director for the American Civil Liberties Union of Maine, an organization dedicated to the preservation and advancement of civil rights and liberties for everyone in Maine. I submit this testimony on behalf of the ACLU of Maine, Equality Maine, GLBT Advocates & Defenders (GLAD), MaineTransNet, and the Maine Women’s Lobby in support of LD 564, legislation that would ensure more low-income people in Maine have access to legal representation in Maine’s courts by resourcing the Civil Legal Services Fund Commission.

A foundational premise of our legal system is that people should get equal treatment—and outcomes—regardless of how much money they have. In civil cases, where people are usually not entitled to a state-appointed lawyer, the premise withers on the vine. All too often in civil cases—just as in criminal cases—how much money you have determines the justice you get.

This bill would make headway against this brutal reality. It would ensure that people with low incomes have increased access to legal representation in cases like evictions, foreclosures, family law matters, protection from abuse cases, and other areas. Access to a lawyer makes it more likely that a person will have a good outcome in their court case. A good outcome in any of these areas has a positive ripple effect, making it more likely that people in recovery will stay in recovery, adults can keep their jobs, and children can stay safe. And, conversely, a bad outcome, which is vastly more likely without legal representation, can create a domino effect of devastating consequences, including job loss, health issues, homelessness, relapse or even jail. In the long run, these consequences can be personally devastating for individuals and very costly to the state. Providing counsel upfront to prevent these options is a smarter, better way to address people’s legal problems.

As a matter of fairness, we must close the gap in Maine’s civil legal services. We urge you to vote ought to pass.