

Commission To Develop a Pilot Program To Provide Legal Representation to Families in the Child Protection System

Solicitation of Public Comment for October 3, 2022 Meeting

The Maine Legislature's *Commission to Develop a Pilot Program to Provide Legal Representation to Families in the Child Protection System* is seeking public comment. The Commission was established by legislation, known as Resolve 2021, c. 181 (or LD 1824), which you can read online at the following link: <http://www.mainelegislature.org/legis/bills/getPDF.asp?paper=HP1357&item=3&snum=130>.

Background

In Maine, an indigent parent has a statutory and constitutional right to a state-funded attorney if the Department of Health and Human Services has begun court proceedings to remove a child (or children) from the parent's home based on its investigation of an allegation of abuse or neglect. This Commission was created to design a pilot program to provide free legal assistance to low-income parents or custodians earlier in the process: possibly as soon as when the department opens an investigation or safety assessment in response to a report of suspected abuse or neglect.

When it has finished its work, the Commission will send its recommendations for designing the pilot project to the Legislature. The Legislature will then decide whether to proceed with the pilot project.

Public Comments requested for Meeting on Monday, October 3, 2022:

The Commission is seeking public comments on the following questions:

1. *What type of legal assistance would be most useful to parents when the department is investigating a report of potential abuse or neglect?*
 - a. Should the legal assistance focus on helping parents understand their rights during the investigation and in negotiating with the department to try to reach a solution that prevents the need to remove the child?
 - b. **And/or**, should the free legal advice focus on other legal issues, such as: housing issues; DV issues; custody/guardianship issues; or other legal problems?
2. *Because this is a pilot project, we have to decide how to focus the assistance: What population would most benefit from this type of legal support? For example,*
 - a. Is there a particular type of situation the pilot project should focus on?
 - i. For example, pregnant mothers who have a substance use disorder, situations of domestic violence, housing instability, immigration etc.?
 - b. Or, do you think it is better for the pilot project to focus on helping all low-income parents who are subject to an investigation in a single geographic area of the State? If so, what area of the State do you suggest, and why?
3. *What other ideas do you have related to this pilot project? How can this project best be designed for success?*

Commission To Develop a Pilot Program To Provide Legal Representation to Families in the Child Protection System

How to provide public comments:

You may submit your comments orally at the Commission meeting scheduled to take place on October 3, 2022 or you may submit written comments or you may choose both to speak during the meeting and to submit written comments.

1. **Public comments during the October 3, 2022 meeting:** If you would like to speak during the meeting, you may attend the meeting in person in Room 228 of the State House (the AFA Committee Room) or you may attend the meeting remotely using Zoom. If you prefer to attend by Zoom, you must register in advance through the following link: https://legislature-maine.gov.zoom.us/webinar/register/WN_owpTDW7OTRmTrA8rYAqrEg.

Depending on the number of people who want to speak at the meeting, the chairs may limit the time each person has to speak. Please remember that the commission meeting will be publicly livestreamed on the Legislature's website and a recording of the meeting will also be publicly available on the Legislature's website. For that reason, you may wish to avoid discussing any private or sensitive information that you do not want shared with the public.

2. **Written comments:** If you wish to send a written comment to the commission, please email your comment to both samuel.senft@legislature.maine.gov and janet.stocco@legislature.maine.gov **by 5:00 p.m. on Sunday, October 2nd**. Comments received after that date may not be distributed to the commission members until after the meeting.

Please remember that all comments, documents and information you send to the commission or to commission staff are considered "public records" under Maine's Freedom of Access Act. Materials will be posted online with other materials used by the commission and will be viewable and searchable by the public.

If you have questions or require additional information, please contact the Commission's staff, Janet Stocco and Samuel Senft at janet.stocco@legislature.maine.gov and samuel.senft@legislature.maine.gov or by phone at (207) 287-1670.