Welcome to Maine Justice Foundation’s 2017 Annual Report to the Community

In 1983 Maine’s Bar Association and School of Law created the Maine Bar Foundation as the charitable arm of the Bar. The Foundation has supported access to justice for poor and vulnerable Mainers with millions of dollars in grants to organizations providing legal aid services, advocacy, and education. In 2015, we changed our name to the Maine Justice Foundation and began raising more private dollars for civil legal aid. We are one of the top 20 foundations in Maine, with grants of $1.5 million in 2017.

Mission
The Maine Justice Foundation is dedicated to ensuring access to civil justice for poor and vulnerable Mainers by providing charitable investment opportunities for individuals, families and organizations, as well as grants to support civil legal aid and other law-related program initiatives, education and services. The six legal aid providers we support serve over 30,000 Mainers each year, but even that is only about 20% of the need.

Our Work
Interest on Lawyers’ Trust Accounts – managing $26.7 million in IOLTA funds over 30 years.

Campaign for Justice – providing a home for the annual campaign asking Maine’s Bar to support the six core legal aid providers.

Bank of America Settlement – managing and disbursing grants from a $1.77 million fund for foreclosure prevention and community redevelopment legal assistance.

Coffin Fellows – managing contributions from 15 Portland law firms and coordinating selection of a new lawyer each year for the Frank M. Coffin Family Law Fellowship program.

Loan Repayment Assistance Program – helping legal aid attorneys to pay off law school debt.

Justice Action Group – funding and supporting a judge-led coalition of Maine’s legal leaders to improve access to justice.

Maine Civil Legal Services Fund Commission – providing in-kind staff support to the commission, a major source of legal aid funding.

Grant Making – Raising funds for and disbursing grants to legal aid providers through our area of interest funds and endowments.
We close our books on 2017 and at the same time begin the Maine Justice Foundation’s 35th anniversary year. It is timely to think about where we have been and where we dream to go.

First, let’s return to the beginning when the Maine State Bar Association decided to spin off the then Maine Bar Foundation. Phyllis Givertz called to order the first meeting of the Foundation’s board at 5:35 pm on December 19, 1983 at the Roma Café in Portland. Others present were Sumner Bernstein, Hugh Calkins, Howard Dana, Duane Fitzgerald, Joseph Jabar, John Kelly, Francis Marsano, Robert Perkins, Gerald Petruccelli, Judy Potter, Mary Schendel, Hon. Sidney Wernick, and Law School Dean L. Kinvin Wroth. Attending as a guest was J. David Kennedy, then-Director of Pine Tree Legal Assistance.

The main item on the agenda that evening was the Volunteer Lawyers Project. Mr. Kennedy thanked Mr. Dana for all his contributions to the development and implementation of VLP and urged board members to volunteer as Lawyer of the Day. Before adjourning at 6:55 pm, the new board approved a contract and funding for Pine Tree to operate VLP. (This arrangement continued until 2017 when VLP became an independent nonprofit.)

During the mid-1980s, the Maine Supreme Judicial Court created the Interest on Lawyers’ Trust Accounts (IOLTA) program and entrusted the Foundation with its operation. Once again, Howard Dana was front and center as the champion of this innovative new funding source for legal aid, not only here in Maine, but nationally through the American Bar Association. Today, IOLTA programs exist in every state and throughout Canada and Australia.

In 1990, the Foundation coordinated the work of the 50-member Maine Commission on Legal Needs, chaired by Hon. Edmund S. Muskie. Their final report found that “Maine’s poor obtained legal assistance for only 23% of the...legal problems which they experienced.” Sadly, this gaping chasm between the need and resources for legal aid persists today.

Over the past 35 years, scores of leaders from Maine’s legal community and the three executive directors who preceded me (Nancy Chandler, Joanne D’Arcangelo and M. Calien Lewis) have worked tirelessly shrink this chasm. In 2014, Justice Dana even returned to help by serving, once again, on the Foundation’s board. A heartfelt “thank you” hardly seems enough to so many people who have done so much.

The Foundation’s dream for the future is to close the justice gap. We will continue to support the remarkable legal aid organizations described in our FY 2017 annual report. We will continue to secure, grow, manage, sustain and advocate for resources to support fairness and justice for all Mainers.
Maine’s Six Core Legal Aid Providers — our grantees

**Pine Tree Legal Assistance** (founded 1967) helps enforce state and federal civil laws related to basic needs and rights, such as access to housing, food, income, safety, education, and well-being. Pine Tree has also developed specialized statewide initiatives, including a migrant farmworker unit, Native American unit, tax clinic, employment law project, foreclosure prevention project, and Maine’s only children’s law project. In addition to [www.ptla.org](http://www.ptla.org), Pine Tree manages three websites with easy access to information related to the legal needs of children ([www.kidslegal.org](http://www.kidslegal.org)), veteran and military families ([www.statesidelegal.org](http://www.statesidelegal.org)), and civil legal resources in Maine ([www.helpmelaw.org](http://www.helpmelaw.org)).

**Legal Services for the Elderly** (founded 1974) serves thousands of Maine seniors age 60 or older. They rely on LSE for representation, assistance, and information on a broad range of legal issues, including physical abuse, financial exploitation, nursing home eligibility, long-term care, consumer fraud, evictions, debt collections, powers of attorneys, and health coverage. [www.mainelse.org](http://www.mainelse.org)

**Cumberland Legal Aid Clinic** (founded 1970) is a program of the University of Maine School of Law. The Clinic provides an opportunity for third-year law students to provide legal assistance, under close faculty supervision, to Maine residents who have low incomes in a variety of civil, juvenile, administrative, immigration, and criminal matters, primarily in Cumberland, York, Androscoggin, and Sagadahoc counties. [mainelaw.maine.edu/public-service/clac/](http://mainelaw.maine.edu/public-service/clac/)

**The Maine Volunteer Lawyers Project** (founded 1983) focuses on recruiting, coordinating, and supporting volunteer attorneys, so that each dollar of support is multiplied several times over in pro bono aid provided by Maine attorneys. Handling a variety of civil legal problems with information, advice, and partial or full representation, VLP’s dozens of volunteer attorneys amass hundreds of hours of service each year. [www.vlp.org](http://www.vlp.org)

**The Maine Equal Justice Partners** (founded 1996) assists Maine adults and children with low income: (1) in the courts through class action lawsuits and other cases likely to have significant impact on their basic needs and fundamental rights, (2) before administrative agencies in rulemaking proceedings and on issues affecting the administration of public programs, and (3) in the legislature on bills related to public programs. MEJP also conducts research and provides outreach and education opportunities to individuals with low income and social service providers on legal and public policy issues that affect their daily lives. [www.mejp.org](http://www.mejp.org)

**Immigrant Legal Advocacy Project** (founded 2000) specializes in the complex issues that immigrants face in Maine. The complexity of immigration law, conflicting cultural assumptions, and language barriers can make poorer immigrants especially vulnerable. Assistance by ILAP staff and pro bono attorneys is provided in all sixteen Maine counties. [www.ilapmaine.org](http://www.ilapmaine.org)
Bar Fellows

The Bar Fellows of the Maine Justice Foundation is an honorary organization of attorneys, judges, law faculty, and legal scholars who have been elected by their peers. They have demonstrated a long dedication to the welfare of their communities and to the highest principles of the legal profession.

We recognize and thank these generous members of the Maine Bar who, through their professional activities, promote the provision of legal services to the poor, support legal education and scholarships, and enhance the legal profession’s ability to serve the public throughout Maine. Their gifts of $1,500 support the Bar Fellows Endowment at the Foundation.

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Jeffrey N. Young
Prof. Melvyn Zarr
June D. Zellers
Dr. Donald N. Zillman

*Fellows who have made an additional contribution to the Bar Fellows Endowment.

Special thanks to Berman & Simmons for their support of the Bar Fellows Endowment.
Honorary Life Fellows

Honorary Life Fellows have made an additional pledge of $1,500 or more to support access to justice in Maine. Patrons have made gifts of $5,000 or more to the endowment.

PATRONS

Joseph L. Bornstein
Hon. Howard H. Dana, Jr.
Virginia E. Davis
Arnold C. Macdonald
Marsha Weeks Trail

HONORARY LIFE FELLOWS

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Robert H. Stier, Jr.
Prof. Nancy A. Wanderer
David E. Warren
Grants

The Maine Justice Foundation manages funds and builds endowments from which grants are made to support civil legal aid in the State of Maine. The Foundation relies on gifts and donations to fund the groups committed to providing low-income Mainers with the legal representation and guidance they deserve. The Foundation is one of the 20 biggest grantmakers in the state of Maine, with grants of $1.5 million in 2017.

<table>
<thead>
<tr>
<th>Organization</th>
<th>Interest on Lawyers’ Trust Accounts</th>
<th>Campaign for Justice</th>
<th>ESO Endowment</th>
<th>Coffin Fellows</th>
<th>Bank of America Settlement Funds</th>
<th>James M. Roux Fund</th>
<th>Total</th>
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<tr>
<td>Cumberland Legal Aid Clinic</td>
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<td>$291,052</td>
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<td>$1,502,620</td>
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*Includes funding for Rural Practice Fellowship, UMaine School of Law; Justice Action Group; Loan Repayment Assistance Program; and Muskie Dinner.
Interest on Lawyers’ Trust Accounts (IOLTA)

In the mid-1980s, the Maine Supreme Judicial Court created Maine’s IOLTA (Interest on Lawyers’ Trust Accounts) program and entrusted the Foundation with its operation. IOLTA is a unique and innovative way to increase access to justice for individuals and families living in poverty and to improve our justice system. Without taxing the public, and at no cost to lawyers or their clients, interest from lawyers’ trust accounts is pooled to provide civil legal aid to the poor and to support improvements to the justice system.

Over the last 30 years, the Maine Justice Foundation has managed $26.7 million in IOLTA funds. IOLTA provides annual operating funds to the six core providers of civil legal aid: Cumberland Legal Aid Clinic, Immigrant Legal Advocacy Project, Legal Services for the Elderly, Maine Equal Justice Partners, Pine Tree Legal Assistance, and Volunteer Lawyers Project.

IOLTA income varies with the interest rates paid on the lawyers’ trust accounts. When rates drop and stay low, as they have from the beginning of 2008, IOLTA revenue declines. Many IOLTA programs have been forced to reduce grants to legal aid providers, in many cases by large percentages.

Thanks To Our Financial Partners Who Go Above And Beyond

A number of participating banks and credit unions pay interest rates on IOLTA funds that go above and beyond their legal obligations. Grateful for their generosity, the Foundation thanks each of the following institutions:

**Prime Partners**, paying 2% interest on IOLTA funds:

- Auburn Savings Bank, FSB
- First Federal Savings & Loan Association of Bath
- Kennebec Savings Bank
- Machias Savings Bank
- Maine Savings Federal Credit Union
- Rockland Savings Bank, FSB
- The County Federal Credit Union

**Index Rate Institutions**, paying a rate equal to 65% of the Federal Funds Target Rate or 1.00%, whichever is higher:

- Bar Harbor Bank & Trust
- Damariscotta Bank & Trust Co.
- Gorham Savings Bank
- Katahdin Trust Company
- NBT Bank, N.A.
- Saco & Biddeford Savings Institution
- Skowhegan Savings Bank
- University Credit Union
Campaign for Justice

The Campaign for Justice is the annual giving campaign for members of the Maine Bar to contribute to the state’s six core legal aid providers. In 2004, leaders of Maine’s legal community approached the legal aid providers with the idea for a collaborative fundraising campaign. The providers—and the Bar—responded by creating an innovative and successful annual fund drive. The Campaign for Justice solicits only members of the Maine Bar for annual gifts to the providers, replacing the providers’ separate appeals to lawyers. Volunteer leaders govern the campaign and solicit gifts, providing a vital ingredient to the campaign’s success. And the Foundation houses the campaign’s staff and funds.

This remarkable collaboration has greatly increased the Maine Bar’s support for civil legal aid: the dollar amount of gifts from the Bar to the six providers has risen more than eight-fold since the campaign began. Give or pledge to the 2018 campaign at www.campaignforjustice.org.

Bank of America Settlement Funds

IOLTA programs throughout the country received donations from the Bank of America under a settlement agreement with the U.S. Department of Justice. The funds go to legal aid organizations to help homeowners avoid foreclosure and to provide assistance for community redevelopment. The Maine Justice Foundation has received $1.77 million since 2015 under this settlement. The Foundation is distributing these funds to Maine’s legal aid organizations through a competitive grants process.

Frank M. Coffin Family Law Fellowship

In 1998, Portland’s largest law firms wanted to find a way to honor Frank M. Coffin, Senior Judge on the First Circuit U.S. Court of Appeals. These firms, joined by others over the years, contribute funds each year to pay for two Coffin Fellows at the Portland office of Pine Tree Legal Assistance. These young attorneys have helped hundreds of Mainers facing complex family law matters. This is a fitting tribute to Judge Coffin’s years of public service and his commitment to legal aid for the poor.
We thank the following law firms for their long-term commitment to funding the Coffin Fellowship:

*Bernstein, Shur, Sawyer & Nelson, P.A.
*Cloutier, Conley & Duffett P.A.
*Curtis Thaxter LLC
*Drummond Woodsum
Eaton Peabody
*Jensen Baird Gardner & Henry
Lambert Coffin
Murray Plumb & Murray
*Norman, Hanson & DeTroy, LLC
*Perkins Thompson
*Pierce Atwood LLP
*Preti, Flaherty, Beliveau & Pachios, LLP
Roach Hewitt Ruprecht Sanchez & Bischoff, P.C.
*Thompson Bowie & Hatch LLC
*Verrill Dana, LLP

*denotes a founding law firm
Endowed Funds of the Maine Justice Foundation—supporting access to justice now and into the future

Howard H. Dana, Jr. Fund
Howard H. Dana, Jr., joined Maine’s Bar in 1966 and retired as an Associate Justice of the Supreme Judicial Court in 2007. In that time he served as a director of the Legal Services Corporation, the federally-funded organization which supports legal aid across the country. Justice Dana says, “In our country, we have two lawyers, typically – one on either side of the case – and the problem is that there aren’t enough lawyers to represent the poor. This makes for an unfair battle and an unfair system of justice.”

Justice Dana established this endowment upon his retirement to support the Foundation’s annual operations, making more money available for legal aid providers. True to his longstanding commitment to this cause, he continues to contribute to the fund.

ESO Endowment
An anonymous donor established this important fund in 2011 to help people who need legal help in Washington and Hancock counties. The donor wanted to keep families safe and healthy, help the elderly and make sure children have the opportunities they deserve. The Foundation makes grants to the legal providers for their work in downeast Maine.

LGBTQ Justice Fund
The movement for full equality for LGBTQ people has made incredible progress, but we still have to make sure that every LGBTQ person has access to justice. From domestic violence and custody battles to evictions and restraining orders, Americans have no Constitutional right to a lawyer. For LGBTQ people, who suffer disproportionately from poverty, the need for a lawyer can be acute.

In 2016, attorney Bill Robitzek set up the LGBTQ Justice Fund, to support nonprofits that address the civil legal needs of low-income and vulnerable LGBTQ Mainers. You can join Bill and co-founders Sarah McDaniel, Arnie Macdonald, Teresa Cloutier, Jodi Nofsinger, Judy Woodbury and Jon Doyle in making a significant gift to the fund.

The Michael J. Levey and Michael S. Brown Fund
Mike Levey practiced law in Maine from 1974 until he retired from his practice in 2017. His commitment to justice has made him a valuable advocate on the Foundation’s Board of Directors. He has provided gifted leadership for the strategic planning of the Volunteer Lawyers Project.
Mike wants the Foundation to have the resources it needs to help as many vulnerable Mainers as possible. He and his wife created the Michael J. Levey and Michael S. Brown Fund, an endowment to help defray the costs of the Foundation’s operations. “We created this fund to help the legal system, of which I am very proud to be a part, work for all Maine citizens, including those who are unable to pay for the help they need,” says Mike.

**James M. Roux Fund**
Established by Arnie Macdonald and Liza Moore, the Roux Fund benefits the Summer Intern Program of the Cumberland Legal Aid Clinic. Arnie and Liza created this fund in memory of Jim Roux. Jim served in the US Army as Judge Advocate General with the 82d Airborne Division and then became a pre-eminent trial lawyer. He developed an interest in the plight of the Nepalese Sherpa people after his treks to Mount Everest Base Camp. Jim was headed to Southeast Asia when he was killed in the September 11 terrorist attacks.

Arnie says, “We make this gift in Jim’s memory but also out of our love and pride in his son Jamie. In their honor we want to help Maine’s aspiring lawyers not only to have excellent technical skills but to keep a watchful eye on the underdogs, underprivileged and underserved, where the civil rights so important to our society may first start to erode.”

**The Thomas P. Downing Fund**
With the support of family and friends, Diana Scully established the Downing Fund in 1985 to provide money for the Thomas P. Downing, Jr. Award. Named to honor the memory of her late husband and his work on behalf of vulnerable Mainers, the Downing Award is given to legal aid staff in recognition of their significant contribution to Maine's low-income residents.

**Bar Fellows Endowment**
The Bar Fellows generously make a gift of $1,500 each when elected by their peers. This substantial endowment supports the mission of the Foundation. The Board established the Honorary Life Fellows in 2017 to recognize Fellows who make a second gift of $1,500 to the endowment.

**Sidney W. Wernick Lecture Fund**
The Foundation manages this fund on behalf of the Maine Supreme Judicial Court. It honors Sidney W. Wernick, who served as Associate Justice from 1970 to 1981 and then in active retirement status until 1984. He died in 1995.
Ways to Give — supporting access to justice for poor and vulnerable Mainers

**Annual Gifts** – Make a gift of cash or stock to support the Foundation’s annual operations. www.justicemaine.org or 40 Water Street, Hallowell, ME 04347.

**The Campaign for Justice** – If you are a member of the Maine Bar, make an annual gift or pledge to support the six core legal aid providers. www.campaignforjustice.org or Campaign for Justice, 40 Water Street, Hallowell, ME 04347.

**Endowed Funds at the Maine Justice Foundation** – You can create a legacy of your commitment to justice for all by establishing an endowment at the Maine Justice Foundation. Endowments can be unrestricted, restricted to a field of interest (such a geographic area, specific population, or type of legal issue), or designated to a specific non-profit legal aid provider.

You can start an endowment with a minimum amount of $10,000. The current spending policy, which is set by the Board, determines the amount distributed each year.

You can contribute to an existing endowment:

- **Bar Fellows Endowment**
- **Howard H. Dana, Jr. Fund**
- **Thomas P. Downing, Jr. Fund**
- **ESO Endowment**
- **LGBTQ Justice Fund**
- **Michael J. Levey and Michael S. Brown Fund**
- **James M. Roux Fund**
- **Sidney W. Wernick Lecture Fund**

**A Gift Through Your Will Or Trust** – Gifts through your will or trust (bequests), or another estate planning vehicle, allow you to make a sizeable gift without impacting your income now.

To find out more about making a gift to support access to justice, contact:

- Mathew J. Scease, Director of Development
- Maine Justice Foundation
- mscease@justicemaine.org
- (207) 620-1353
- 40 Water Street, Hallowell, ME 04347
FY 2017 Revenue

Campaign for Justice: $734,698 / 41.6%
IOLTA: $736,581 / 41.7%
Other: $294,593 / 16.7%

Total Revenue: $1,765,872

FY 2017 Expenses

Program: $1,505,105 / 75.4%
Administrative and Management: $328,478 / 16.5%
Fundraising: $162,133 / 8.1%

Total Expenses: $1,995,716

FY 2017 Balance Sheet

<table>
<thead>
<tr>
<th>ASSETS</th>
<th>BEGINNING OF YEAR</th>
<th>END OF YEAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash</td>
<td>$ 37,644</td>
<td>$ 91,992</td>
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<tr>
<td>Savings and Temporary Cash Investments</td>
<td>$ 411,477</td>
<td>$ 396,627</td>
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<tr>
<td>Land and Building (after depreciation)</td>
<td>$ 104,992</td>
<td>$ 110,194</td>
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<tr>
<td>Investments (publicly traded)</td>
<td>$ 5,017,395</td>
<td>$ 5,320,355</td>
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<tr>
<td>Total Assets</td>
<td>$ 5,571,508</td>
<td>$ 5,919,168</td>
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<table>
<thead>
<tr>
<th>LIABILITIES</th>
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<tbody>
<tr>
<td>Mock Trial Custodial Account</td>
<td>$ 4,313</td>
<td>$ 4,316</td>
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<table>
<thead>
<tr>
<th>NET ASSETS</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Unrestricted</td>
<td>$ 348,175</td>
<td>$ 429,168</td>
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<tr>
<td>Temporarily Restricted</td>
<td>$ 2,508,596</td>
<td>$ 2,624,716</td>
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<tr>
<td>Permanently Restricted</td>
<td>$ 2,710,423</td>
<td>$ 2,860,968</td>
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<tr>
<td>Total Net Assets</td>
<td>$ 5,567,194</td>
<td>$ 5,914,852</td>
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</table>
Maine Justice Foundation
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