



# Wabanaki Legal News

Volume 6 Issue 2

[www.ptla.org/wabanaki/wabanaki.htm](http://www.ptla.org/wabanaki/wabanaki.htm)

A Newsletter of Pine Tree Legal Assistance

Summer 2002

## *Judith Plano Joins Native American Unit*

In June of this year, attorney Judith Plano joined the staff of the Native American Unit of Pine Tree Legal Assistance. She is replacing attorney Craig Sanborn, who left this past spring to become Executive Director of Housing for the Penobscot Nation. Judy joins the staff directly from the Disability Rights Center in Augusta, where she has worked since 1999. Judy brings many years of experience, both in law and in other fields, to the Native American Unit.



Judy was born in New Haven, Connecticut, where she lived until she was eight years old. Her family then moved to Bradenton, Florida, where she spent her teen-age years. Judy began college at the University of Florida, where she stayed for two years. She later moved to Charleston, South Carolina and attended the

College of Charleston, where she got her degree in biology in 1970. She received a Masters in Teaching from the Citadel in Charleston. Judy taught school for a number of years. She started by teaching biology and math and ended up doing work with special education students.

Judy's next career brought her to Maine. After teaching, Judy started a scientific consulting business with her second husband, a geologist. The firm was named "Chiasma." She and her husband received a grant to look for uranium deposits in the granite of New England. During the course of their work on the grant, Judy and her husband ended up living in South Portland.

Judy then switched careers again. She enrolled at the University of Southern Maine and got a degree in Music.

For the next 12 years, Judy taught private music students. Finally, looking for a more remunerative profession, Judy applied to law school on the advice of one of her daughters, who was then practicing law herself. Judy attended the University of Maine School of Law and graduated in 1993.

Following graduation from law school, Judy worked with an attorney she had interned for while she was in law school. In April of 1994, however, she opened her own solo practice. She specialized in guardian *ad litem* proceedings. She also focused on other areas of juvenile law, including child protective custody cases. Judy also did some court-appointed criminal cases as well as bankruptcy and family law for low-income clients.

(Continued on Page 2)

## Fighting Discrimination Through The Legal System

By Matt Keegan, Esq.

Matt Keegan is an attorney with the Augusta law firm of Johnson & Webbert. He and other members of his firm counsel and represent Native Americans who have unfairly been denied service at places open to the public or who have otherwise been discriminated against because of their race. He can be contacted at 623-5110.

If you believe you were the victim of race discrimination, it is very important to contact an attorney. The attorney can advise you promptly and can evaluate your potential case and help you collect the evidence you will need to prove your case.

In order to win a discrimination case in court it is very important to have some type of evidence or proof that the poor treatment or unequal treatment you received happened because you are a Native American.

Often a dirty look or an irritated tone of voice will make you suspect that you are being discriminated against. However, your own personal reaction to someone else's facial expression or voice is often viewed as relatively weak evidence or no evidence at all in the legal system. The strongest type of evidence for a court case would be a racial insult or some type of negative comment about Native Americans.

Another type of evidence would be that non-Native Americans were treated better in the same circumstances. For example, you were made to wait in a restaurant for over an hour when non-Natives without reservations who arrived after you were seated in five or ten minutes.



Another useful type of evidence is when you can prove that the store or restaurant lied to you about the reasons for the poor service. For example, the host at the restaurant might tell you that white customers were seated before you, even though they arrived after you, because they had reservations. If, however, the host has no list of people with reservations, the host is likely lying. Being able to show that this kind of thing happened can help to prove that discrimination occurred.



## Pine Tree Case Summaries



The following are summaries of some of the cases Pine Tree Native American Unit attorneys have handled over the last six months. You can call attorneys Judith Plano or Mike Guare or paralegal Danny Mills at 1-800-879-7463.

### Discrimination:

Pine Tree Legal Assistance is currently representing

(Continued on Page 2)




("Judith Plano" continued from front page)

In 1999, Judy joined the Disability Rights Center in Augusta. There, her focus has been primarily on special education, housing issues for disabled clients, and Medicaid and Medicare, especially as they relate to assistive technology issues.

When the job with the Native American Unit opened up, Judy applied. She is "excited" to have been hired for the position. She says the new job "feels right" and that she finds her new duties to be a "good fit" with her past experience. She has studied environmental biology and feels closely aligned with the land—a feeling she believes she shares with many of her Native American clients. In commenting on her new job at Pine Tree, Judy emphasizes that "[w]hat has been the one thread in everything I have done, is that I have worked with and for children."



In addition to all of her work experiences, Judy has been busy in many other areas. She has raised seven children, including two adopted children and a foster child, and has two grandchildren. Her children are all grown and live all over the country. One daughter lives as far away as Seattle. The rest are on the east coast, from Maine to Charleston, South Carolina.

In her spare time, Judy indulges in a number of hobbies. She continues her interest in music and plays violin, viola and piano in a klezmer band. She has played with Danny Mills from the Native American Unit on a number of occasions. Judy loves to garden and often reads books on organic gardening. She is also active in her synagogue. 



("Summaries" continued from front page)

several Native American clients in discrimination cases before the Maine Human Rights Commission. One client is claiming employment discrimination by a large blueberry grower. Another is claiming discrimination by the Maine State Police. Two other clients were denied service by a store in Washington County.

The law prohibits discrimination against you because you are Native American. If you have been discriminated against in employment, housing, credit, public accommodation, education, or in any other area, please feel free to contact our office.

### Housing:

The client, a Native American, lived in a city and was renting an apartment from a private landlord. The landlord evicted the client and claimed that the client owed him money for damages to the apartment. The landlord kept many of the client's possessions, including some dentures, and refused to return them until the client paid what he said was owed him. Pine Tree attorney Mike Guare filed a case in court against the landlord. The landlord was required to return the client's possessions to him. The client did not have to pay


anything to the landlord to get his belongings back.

In another case, Pine Tree is currently representing a tribal member in court. The tribal housing authority is trying to evict him, and PTLA is trying to stop the eviction. If you are having a problem with your landlord, please call us!

### Family Law:

The client came to Pine Tree with a family law problem. She was a Native American with a child support order against a man who had moved to another state. We helped her in getting the government in the other state to enforce the child support order.

We also gave advice to another client whose former husband was refusing to return her child to her after a visitation. With Pine Tree's advice, the client was able to work the situation out and get her son back without going to court.

In another case, We represented a client in court in a complicated case involving child custody, child support and visitation. With Pine Tree's assistance, the client was granted a favorable court order. If you have a family law problem, please call us! 


### Native American Tax Briefs

The following are cases that have been resolved for Native American clients by Paul Harrison on behalf of Pine Tree Legal's Low Income Tax Clinic:



### Earned Income Credit:

The client is a divorced single Native American mother of one child. She was divorced in 1995. The divorce decree stated that the son's primary residence was to be with the mother. The father was ordered to pay child support, which he does, although he does not visit his son. The client has been working part-time, going to school and supplementing her income with TANF and food stamps from time to time.

In 1995, when the client filed her tax return, she filed as head of household and claimed both her child and herself as exemptions. She also claimed the Earned Income Tax Credit (EITC) based on one qualifying child.  However, the client's ex-husband had also claimed the son as a dependent and his return had already been processed by the time the client filed her return.

The IRS audited the client's return and asked her to give proof that she provided more than half the cost of maintaining a home for the child, more than half the cost of supporting the son and that her son met the age, relationship and residence tests for the EITC. The client did not provide the proof asked for by the IRS. The IRS then continued to audit the client's returns and to deny her the EITC in following years. Once the IRS disallows a claim, it will continue to do so until the proof required

(Continued on page 5)



## Legislative Update

### Native American News

Legislation, presented by Representative Soctomah of the Passamaquoddy Tribe, passed that requires a person who possesses Indian human remains to transfer them to an intertribal repatriation organization appointed by the four Maine Tribes. This organization must then make reasonable efforts to locate and transfer the remains to the next-of-kin.

If the remains are subject to the Medical Examiner Act, they may be used until no longer needed for legal purposes. The Examiner then will release the remains to the next-of-kin or, if no next-of-kin are found, to the repatriation organization for burial. The Act does not apply to human remains covered by the Federal Native American Graves Protection and Repatriation Act.

### Welfare News

**Health Care:** The Legislature moved to expand health care coverage for employees of small businesses. It set up a Board to develop voluntary guidelines for small businesses to use to provide health insurance to their employees. The coverage would be similar to that now given to state employees. The Board will establish the rules for enrollment and participation by eligible small businesses, negotiate rates with health care providers, and generally oversee the operation of the plan. The Board will put the final health insurance plan out to bid for insurers or other qualified groups interested in providing this coverage.

**Prescription Drugs:** Currently, people applying for the Low Cost Drug Program for the Elderly or Disabled send their applications to the Maine Revenue Service. Legislation passed this session will shift the whole program to DHS in January 2003. **Benefits will stay the same. Everyone who is currently in the program will still be eligible.**

If you are now enrolled in the Program and you get a new application from the Revenue Service, fill it out and send it in. If you'd like to apply for the program now, get an application and send it in to the Revenue Service. **To get an application, call 1-800-796-2463.** In 2003, all applications will go directly to DHS.

**TANF:** A new law passed that will limit attempts to collect an AFDC, TANF, or food stamp overpayment (payments that a family received for which they weren't really eligible) from people who were children when the overpayment was made. Any TANF or food stamp overpayment may not be collected from a person who was a minor dependent (under 18) at the time that the



### Pine Tree Legal Assistance

Pine Tree Legal Assistance is a non-profit organization that gives free legal help to poor people with civil (non-criminal) legal problems

Due to federal budget cuts, Pine Tree has lost some staff. As a result, Pine Tree has had to limit the types of cases that it handles. We have given high priorities to the following kinds of case:

- ✖ Eviction from public housing
- ✖ Home foreclosures
- ✖ Domestic violence
- ✖ Problems with Medicare or Medicaid
- ✖ Loss, reduction or denial of government benefits (food stamps, TANF, Social Security, etc.)
- ✖ Tax Problems

If you are low-income and need legal help in one of these areas, call the nearest Pine Tree office. If you are a farmworker with employment problems, call the Farmworker Unit at 1-800-879-7463.

Pine Tree also has a Native American Unit in Bangor. The number is 1-800-879-7463. Call the unit if you are a low-income Native American with civil legal problems.

overpayment happened. For people who were overpaid under the old AFDC Program, it works differently. If the original adult in the household can't be found or is no longer living, DHS can try to get that money back from a person who was a child at the time of the overpayment, but **only** if that person is **now** receiving TANF or food stamps.

The Legislature also overturned the ban that excluded people with drug-related felonies from being eligible for food stamps, TANF, and the employment and education services offered by ASPIRE.

**Child Protective Services:** Legislation was passed to improve communication and cooperation between DHS and families in preventing the removal of a child from his home and in developing services aimed at re-unifying a child with his parents after removal. The bill also encourages more frequent visits with parents and better support of kinship care. It requires early scheduling of visits with parents after a child has been taken from the home. DHS will receive funding for additional staff for more streamlined and thorough "discovery" so that everyone gets all the information needed for a fair trial.


**General Assistance:** The legislature also passed a law to make it clear that if you are in an emergency situation, and it is the first time you have ever applied for GA, you cannot be denied help solely because of the way they count your lump sum income.







## MAINE'S PRESCRIPTION DRUG PROGRAMS

	<b>Healthy Maine Prescriptions Program</b> For an application, contact your local Maine Department of Human Services office or call 1-866-796-2463. Or go online at <a href="http://www.state.me.us/dhs">http://www.state.me.us/dhs</a>	<b>Maine Low Cost Drug Program</b> For an application, write to: Maine Revenue Service, PO Box 9116, Augusta, ME 04332-9116. Or call 1-866-796-2463
Who is covered?	All Maine residents who do not already have drug coverage from full benefit MaineCare (Medicaid) and who meet the income guidelines are eligible. You can have Medicare or private insurance coverage.  This program only provides a discount on prescription drugs. If you have private insurance, don't drop it because you have enrolled in this program!  If you are already covered under the Maine Low Cost Drug Program, you will automatically be enrolled in the Healthy Maine Prescriptions Program	Maine residents who: 1) Are age 62 and older; or at least 19 and disabled; 2) Do not have full benefit MaineCare (Medicaid) (you can be receiving Medicare);  <b>AND</b> 3) Meet the income guidelines  Everyone who is eligible for the Low Cost Drug Program will automatically receive a Healthy Maine card
Income limits	Maximum monthly household income for:  1 person -- \$2,215 2 people -- \$2,985 3 people -- \$3,755 4 people -- \$4,525 5 people -- \$5,295 6 people -- \$6,065  (This is up to 300% of the federal poverty level. These figures are current through March 2003)	One person in household - \$1,333 per month  Two people in household - \$1,795 per month  Up to 185% of the federal poverty level (These figures are current up through March 2003)  <b>OR</b>  If you spend at least 40% of your yearly income on prescription drugs, your income limit will be 25% higher. If you believe you might be eligible because of high drug costs, contact 626-8475 (Maine Revenue Services) or 1-800-600-2466.
What Drugs Are Covered At What Cost	Most drugs are covered by the Healthy Maine Prescription Program. The program provides a discount of up to 25% off the retail price. Some prescriptions will require prior approval before they can be filled.	The Low Cost Drug Program covers:  1) 80% of the cost of generic drugs. You will pay 20% of the cost or \$2.00, whichever is more.  2) 80% of the cost of drugs needed for the treatment of diabetes, heart disease and high blood pressure, arthritis, chronic lung disease (including emphysema and asthma), anticoagulation, glaucoma, high cholesterol, osteoporosis, thyroid diseases, incontinence, Parkinson's Disease, multiple sclerosis, and Lou Gehrig's Disease. You will pay 20% of the cost or \$2.00, whichever is more.
Important Warning: Changes to prescription drug programs happen often! This	<b>Maine Drug Programs Available For People Who Cannot Get Full Benefits From Medicaid</b>	3) Up to 25% off the retail cost of most other medications. Some drugs will require prior authorization.  4) If you pay more than \$1,000 out of pocket for prescription drugs in a year,

information is up to date as of April, 2002. Please contact us for information about any program changes.

Prepared by:  
 Maine Equal Justice  
 Partners 126 Sewall Street  
 Augusta, ME 04330  
 Phone: (207) 626-7058  
 Fax: (207) 621-8148  
 Internet: [www.mejp.org](http://www.mejp.org);  
[info@mejp.org](mailto:info@mejp.org)

the Low Cost Drug Program will cover 80% of the cost of additional drugs for that year. You will pay 20% of the cost or \$2.00, whichever is more. When you buy drugs with your Healthy Maine card, your costs will automatically count toward the \$1,000 out of pocket expenses, so be sure to always use your card!

### Some Other Important Facts About Prescription Drug Coverage:

- ▶ Eligibility for both the Low Cost Drug Program and the Healthy Maine Prescription Program is based on income. Any assets you have will not affect your eligibility.
- ▶ The so-called "Estate Recovery Law" does not apply to anyone in either of the programs.
- ▶ If you meet the income and asset guidelines, MaineCare (formerly Medicaid and Cub Care) provides full prescription drug coverage for:
  - ✓ Children 18 and under and their parents
  - ✓ 19 and 20 year olds
  - ✓ pregnant women
  - ✓ people who are disabled or 65 and older

To get an application, call the Maine Department of Human Services at 1-800-543-7669 or your local Department of Human Services office. Families with children can also call the Covering Kids and Teens Helpline at 1-800-965-7476 for information and assistance

### Prior Approval of Prescription Drugs

Some prescription drugs must be "prior approved" by DHS before your doctor can prescribe them. DHS has a list of expensive drugs for which they think there is a cheaper alternative that can treat you just as well. You can only get coverage for the more expensive drug with DHS' "prior approval". If you and your doctor think the more expensive drug is best for you, your doctor must request approval from DHS (by fax) and provide information supporting that request. If DHS approves, you will be able to get that drug under the Low Cost Drug Program or the Healthy Maine Prescription Program with no further delay.

**Q.** How long does DHS have to make a decision on my doctor's request for "prior approval" of a drug?

**A.** DHS must grant or deny your doctor's request for prior authorization within 24 hours of the time it receives the doctor's completed request for "prior approval" of a particular drug.

**Q.** What happens if I get to the pharmacy and find out my doctor was supposed to request "prior approval" for my drug - but didn't?

(Continued on page 6)



("Tax Briefs" continued from page 2)

to support the claim has been submitted to the IRS.

When the client came to the Low Income Tax Clinic, Paul Harrison looked at her files and helped the client file an amended return for 2000. Paul chose that year because the only issue was the denial of the EITC by the IRS. For that year, the client's preparer had failed to file form 8862. You must file this form whenever you have been denied the EITC in a previous year. For the amended return, Paul filed form 8862 and he included the documents necessary to satisfy the EITC tests for a qualifying child. The client was awarded \$2400 in tax credits within 90 days. Unfortunately, the credit was used to offset what the IRS said that the client owed for previous tax years.

Paul then asked for an audit reconsideration for the client's 1995-99 tax returns on the issue of the EITC. He submitted the proof he had already gathered for the 2000 return to prove that the client and her son met the tests for qualifying for the EITC. A key piece of evidence was the divorce decree stating that the son's primary residence was with the client. The client received a credit in the range of \$7-8000, before interest.



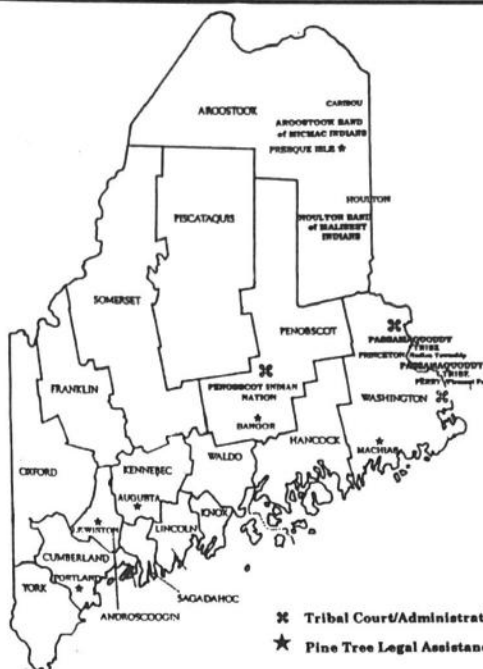
## Cross-Border Rights:

The client is a member of the Micmac Tribe. She has a New Brunswick address but she has the right to pass freely across the border. In 1998, the client came to the United States and stayed in a motel. During that time, she won money from the Maine lottery. By mistake, the Maine Lottery Commission sent her form 1042-S, instead of form W-2G. Form 1042-S is used to report payments to non-resident aliens. Form W-2G is used to report withholding of lottery winnings for U.S. citizens and resident aliens.

When the client filed her Form 1040 with the IRS that year, she included the Form 1042-S. The IRS assumed that she was a non-resident and told her to file form 1040NR.

The client met with Paul Harrison who helped the client file an amended return. At issue was whether the IRS would agree to treat the client as a lawful permanent resident. The client had to show that she was a lawful permanent resident at any time during the year and that she received money from a US source during that time. There was no requirement that the client's period of residence in the United States last for any minimum period of time. However, the period of residence has to be long enough to show that it is not just commuting. In fact, the client had filed form 1040 in the past with no problems. The client's amended return was filed and the client received a refund of over \$1500.

Native Americans in Canada who must pay US income taxes should make sure that the correct paperwork is filled out and filed. The mistake in this case was made by the State of Maine when it issued form 1042-S based on the client's New Brunswick address.



## PINE TREE LEGAL ASSISTANCE OFFICE HOURS



145 Lisbon St., 7th Floor  
Lewiston, ME  
Phone Intake: 784-1558  
Hours: M, Th, F 8:30-4:30  
T 8:30-12:30;  
W 8:30-12:30 & 3-4:30

Native American Unit  
61 Main Street  
Bangor, ME  
Intake: M-F 8:00-4:00  
1-800-879-7463

Farmworker Unit  
61 Main Street  
Bangor, ME  
Intake: M-F 8:00-4:00  
1-800-879-7463

Volunteer Lawyers Project  
88 Federal Street  
Portland, ME  
774-4348 or 1-800-442-4293

We cannot respond to e-mail requests for legal advice or representation

## OFFICES

39 Green St., Augusta, ME  
Phone Intake: 622-4731  
Hours: M-F 9-5 (closed at noon)  
e-mail: [augusta@ptla.org](mailto:augusta@ptla.org)

61 Main St., Bangor, ME  
Phone Intake: 942-8241  
Hours: M-F 8:00-12:00 & 1:00-3:00  
e-mail: [Bangor@ptla.org](mailto:Bangor@ptla.org)

1 School St., Machias, ME  
Phone Intake: 255-8656  
Hours: M-W 8:00-12:00

88 Federal St., Portland, ME  
Phone Intake: 774-8211  
Hours: M-F 8:30-12:30  
e-mail: [info@ptla.org](mailto:info@ptla.org)

373 Main St., Presque Isle, ME  
Phone Intake: 764-4349  
Hours: M-F 8:30-12:30  
e-mail: [pi@ptla.org](mailto:pi@ptla.org)



## We Want To Hear From You!

If you have comments, articles or ideas on how this Newsletter can be helpful to you, please let us know.

Please send articles or letters to:  
Wabanaki Legal News, Pine Tree Legal Assistance,  
Coe Building, 61 Main Street, Room 41, Bangor, ME 04401. Or you can send e-mail to [csamp@ptla.org](mailto:csamp@ptla.org).



**Free Legal Help with Tax Problems**  
Pine Tree Legal Assistance can help low-income taxpayers in any controversy with the IRS, including audits. In addition, clinics are being planned to help low-income Native American taxpayers prepare their taxes for the first time and to help with any questions about the Earned Income Credit. For more information, call Paul Harrison at 1-800-879-7463.



("Drug Programs" continued from page 4)

**A.** If your pharmacist cannot reach your doctor, and this is the first time that this drug has been prescribed for you since January 1, 2001, the pharmacist can then ask the MaineCare (Medicaid) Program to "override" the prior approval requirement this time, and give you a 34-day supply of the drug. Your pharmacist can make this request electronically right away and there should be no delay in getting your drugs.

#### Important Note

The department is applying this "override" provision only to those drugs that became subject to prior approval on January 1, 2001

**Q.** What if my doctor cannot reach DHS for prior approval?

**A.** On a weekend or holiday, for example, if your doctor cannot reach DHS, you may be given a 96-hour supply of most drugs without prior authorization.

**Q.** How long does the prior approval last?

**A.** One year. After a year, your doctor will have to ask for prior approval again.

**Q.** What if I am denied prior approval?

**A.** You can first try to resolve the dispute by contacting Kim Curtis at Goold Health Systems (which runs the program for DHS) at 1-800-832-9672 ext. 157. If you still disagree, you may request a fair hearing.

**You Have a Right to a Fair Hearing.** If you disagree with a decision of DHS regarding drugs, you have the right to request a "fair hearing" to have that decision reviewed by an impartial person. You have a right to be represented at that hearing by a person of your choice. If you have been denied eligibility for the Low Cost Drug Program, call 626-8475 to ask for a Fair Hearing. On all other matters, call or write the Office of Administrative Hearings, DHS, 11 State House Station, Augusta, ME 04333-0011, (207) 287-3610.

**Who to Call for Help.** If you have questions about the Low Cost Drug Program or the Healthy Maine Prescriptions Program or if you would like help with an appeal, contact your local Pine Tree Assistance office or for:

- ✓ **Families with children** – the Covering Kids and Teens Helpline at 1-800-965-7476
- ✓ **People with disabilities** – the Disability Rights Center at 1-800-452-1948
- ✓ **People over 60 years old** – Legal Services for the Elderly at 1-800-750-5353

This piece was written by the Maine Equal Justice Partners, PO Box 5347, 126 Sewall St., Augusta, ME 04330. The piece appears on their website at <http://www.mejp.org/drugprograms.htm>.



The Wabanaki Legal News is published by Pine Tree Legal Assistance, Inc.

The views expressed by individual authors in this Newsletter are not necessarily shared by Pine Tree Legal Assistance or its staff

Executive Director of PTLA: Nan Heald, Esq.  
Native American Unit:  
Directing Attorney: Eric Nelson, Esq.  
Staff Attorneys: Judith Plano, Esq.  
Mike Guare, Esq.  
Paralegal: Danny Mills  
Editor: Cushing Pagon Samp



#### The Rakers' Center Has Moved

The Rakers' Center in Columbia Falls burned down last fall. This year, the Rakers' Center will be located at the Narraguagus Snowmobile Club on the Ridge Road in Cherryfield.

**Directions:** At the four corners in Cherryfield (where Blueberry Pond is) take Route 122 as if you were going to the Strawberry Patch (Wyman's). Go about 1.5 miles – the Ridge Road is on your right. Go another 1.5 miles and the Club is on your left – there will be signs.

Most of the same agencies that were there last year will be there this year. The Rakers' Center is open Monday to Friday, July 25-August 23 from 8:30-4:00, except for the last week, when it will only be open from 8:30-1:00.



## INDEX of COMMUNITY RESOURCES



### CRISIS

(available 24 hours a day)



- |  |                |
|--|----------------|
| ◆ Child Abuse/Neglect                          | 1-800-452-1999 |
| ◆ Adult Abuse/Neglect                          | 1-800-624-8404 |
| ◆ Domestic Violence:                           |                |
| Penobscot                                      | 1-800-863-9909 |
| Aroostook                                      | 1-800-439-2323 |
| Washington                                     | 1-800-432-7303 |
| ◆ Infoline Emergency Social Services Referral: | 1-800-204-2803 |
| ◆ Mental Crisis Hotline:                       | 1-888-568-1112 |
| ◆ Poison Control Center:                       | 1-800-222-1222 |
| ◆ Rape Crisis:                                 | 1-800-310-0000 |
| ◆ Youth Crisis Stabilization:                  | 1-800-499-9130 |





The articles in this paper are meant to give information, **NOT to give legal advice**. No one should interpret any law without the help of an attorney who has been told all the facts.



## LEGAL SERVICES (Other than Pine Tree):



### Maine Lawyer Referral and Information Service:

For a \$20.00 fee, you can be referred to a lawyer in your area for a one half-hour consultation or review of your paperwork.

Telephone: **207-622-1460** or **1-800-860-1460**

Website: <http://www.mainebar.org/referral.html>



### Tel-Law:

Tel-Law has a number of different recorded messages to answer your basic questions about the law. It operates 24 hours a day. There is no fee other than the fact that it is a toll call outside the Augusta calling area.

Telephone: **207-622-1470**

Website: <http://www.mainebar.org/tel-law.html>



### Volunteer Lawyers Project:

If you meet the Pine Tree eligibility requirements, the Volunteer Lawyer's Project can give you legal advice or informational materials for free, or will refer you to a private lawyer who may handle your case without charge. There is a telephone helpline on Wednesday evenings to help you with family law questions.

Telephone: **207-774-4348** or **1-800-442-4293**

Website: <http://www.vlp.org/>



### Legal Services for the Elderly:

If you are age 60 or over, Legal Services for the Elderly can give you free legal advice or limited representation.

Telephone: **1-800-750-5353**

Website: <http://www.maineelse.org/>



### Penquis Law Project:

This group gives legal representation to low and moderate income residents of Penobscot and Piscataquis Counties in the following kinds of cases: Protection From Abuse, Divorce and Separation, Child Support Enforcement, Alimony, Parental Rights and Responsibilities, Wills, and Powers of Attorney. The fee depends on several factors, including your annual income and the complexity of your case.

Telephone: **207-973-3671**

Website: <http://www.penquiscap.org/penquis.nsf/webpages/Law+Project>



### University of Maine Student Legal Services:

If you are an undergraduate student at the University of Maine at Orono, you can get free or reduced cost civil legal services.

Telephone: **207-581-1789**



### Chief Advocate, Department of Corrections:

The Advocate refers civil cases of inmates of the State correctional system, including the Maine State Prison and Maine Correctional Center, to attorneys under contract with the Department of Corrections. This office also gives paralegal and advocacy services for Maine State Prison inmates and works to resolve complaints informally.

Telephone: **207-287-4393**



### Patient Advocate, Department of Mental Health, Mental Retardation, and Substance Abuse Services:

The Advocate refers civil cases of patients at state mental institutions or clients of the Bureau of Mental Health and Retardation to attorneys under contract with the Bureau.

Telephone:

Penobscot and Washington Counties:

**207-941-4180**

Aroostock County:

**207-554-2132**



### SOCIAL SECURITY (State-wide)

**1-800-772-1213**

Website: <http://s3abaca.ssa.gov/pro/fol/fol-home.html>

Bangor Area

**990-4530**

Presque Isle Area

**764-3771**



### DISCRIMINATION:

Housing Discrimination

**1-800-827-5005**

Website: <http://www.hud.gov/complaints/housediscrim.cfm>

Human Rights Commission

**624-6050**

Website: <http://www.state.me.us/mhrc/index.shtml>

ME Civil Liberties Union

**774-5444**

Website: <http://www.mclu.org/>



### DISABILITIES:

Disability Rights Center

**1-800-452-1948**

Website: <http://www.drcme.org/>



### CONSUMER RESOURCES:

#### Consumer Mediation Service:

The Attorney General's Office gives this service free of charge. If you want to file a consumer complaint against a business call between 9:00 a.m. and 12:00 p.m. weekdays. Or write to: Department of Attorney General, Public Protection Division, Consumer Information and Mediation Service, 6 State House Station, Augusta, ME 04333-0006.

Telephone: **626-8849**

Website: <http://www.state.me.us/ag/consumer.htm>

#### Lemon Law Arbitration:

If you buy a car that has serious defects, the Attorney General's Lemon Law Arbitration Program can help you.

Telephone: **626-8848**

Website: <http://www.state.me.us/ag/clg7.htm>

#### Utility Complaints:

The Consumer Assistance Division of the Maine Public Utilities Commission can help you settle problems with any utility in the State.

Telephone: **1-800-452-4699**

Website: <http://www.state.me.us/mpuc/CAD/cad.htm>

#### Low Income Telephone Service Help:

If you qualify for Food Stamps, Medicaid, TANF, SSI or Fuel Assistance, call your local telephone company to see if you qualify for a reduction on your monthly telephone bill.

#### Employment/Labor Information:

Career Centers: (Website: <http://www.mainecareercenter.com/>)

Bangor

**561-4600**

Calais

**454-7551** or **1-800-543-0303**

Houlton

**532-5300** or **1-800-691-0033**

Machias

**255-1900** or **1-800-292-8929**

Presque Isle

**760-6300** or **1-800-635-0357**



State Bureau of Labor (wage or child labor complaints) 624-6400  
Website: <http://www.state.me.us/labor/>

US Dept. of Labor (Wages and Hours Division) 945-0330  
Website: [http://dol.gov/dol/esa/public/whd\\_org.htm](http://dol.gov/dol/esa/public/whd_org.htm)

✧ **Housing:**  
Maine State Housing Authority 1-800-452-4668  
Website: <http://www.mainehousing.org/>

✧ **Insurance:**  
Bureau of Insurance 624-8475  
or 1-800-300-5000  
Website: [http://www.state.me.us/pfr/ins/ins\\_index.htm](http://www.state.me.us/pfr/ins/ins_index.htm)

✧ **Mobile Homes:**  
Manufactured Housing Board 624-8678  
Website: <http://www.hud.gov/offices/hsg/sfh/mhs/mhssaa.cfm>  
Manufactured Housing Association 623-2204  
(mediation for mobile home residents) or 1-800-698-3335  
Maine State Housing Authority 1-800-452-4668  
TDD 1-800-452-4603  
Website: <http://www.mainehousing.org/1stbuyer.html>

✧ **COMMUNITY ACTION PROGRAMS (CAPS):**  
These agencies give information, outreach, job training, educational programs, day care, housing information and referral, fuel/energy assistance, insulation and furnace repair, surplus food, transportation and Emergency Crisis Intervention Program benefits. Not all services are given by all agencies.

**Aroostook County Action Program**  
771 Main St.  
Presque Isle, ME 04769  
1-800-432-7881 or 764-3721  
Website: <http://acap-me.org/>



**Penquis Community Action Program**  
262 Harlow Street,  
Bangor, ME 04401  
973-3500  
Website:  
<http://www.penquiscap.org/>



**Washington-Hancock Community Agency**  
Maine and Maple Streets  
Milbridge, ME 04658  
546-7544  
Website:  
<http://www.whacap.org/>

## TRIBAL GOVERNMENT and AGENCIES

✧ **Aroostook Band of Micmac Indians** 764-1972  
✧ **Houlton Band of Maliseet Indians** 532-4273  
Website: <http://www.maliseets.com/>  
✧ **Penobscot Indian Nation** 827-7776  
Website: <http://www.penobscotnation.org/>  
✧ **Passamaquoddy Tribe**  
**Indian Township** 796-2301  
Website: <http://www.peopleofthedawn.com/>  
**Pleasant Point** 853-2600  
Website: <http://www.wabanaki.com/>



## PENOBSCOT TRIBAL COURT SYSTEM

**Court Administrator** (George Tomer) 827-5639  
**Clerk of Courts** (Clara E. Mitchell) 827-5639  
**Assistant Clerk of Courts** (Sheila Sapiel) 827-5639  
**Tribal Prosecutor** (C. Peter Bos) 827-5639  
**Probation Officer** (George Tomer) 827-5639  
*Regular Sessions: First Wednesday of the month.  
Special Sessions as needed.*



## PASSAMAQUODDY TRIBAL COURT SYSTEM

✧ **Indian Township Division:**  
**Clerk of Courts** (Wanda Doten) 796-5600  
**Probation Officer** (Jennifer Sockabasin) 796-5600  
✧ **Pleasant Point Division:**  
**Clerk of Courts** (Dorothy Barnes) 853-2600, ext 252  
**Probation Officer** (Edward Nicholas) 853-2600, ext 249  
*Regular Sessions: One Friday per month at each division. Special Sessions as needed.*



## OTHER TRIBAL AGENCIES

✧ **Tribal Governors Council** 941-6568  
✧ **Maine Indian Tribal-State Commission** 622-4815



## HEALTH SERVICES

✧ **Penobscot Indian Health Center** 827-6101  
✧ **Maliseet Health Center** 532-2240  
✧ **Micmac Health Center** 764-6968  
✧ **Pleasant Point Health Center** 853-0644  
**Emergency Services** 853-2551  
or 853-4811  
Website:  
<http://www.wabanaki.com/Tribe/depts/Health/Health.htm>  
✧ **Indian Township Health Center** 796-2321



## DOMESTIC VIOLENCE

### Native American Services:

✧ **Pleasant Point:** 853-2600, ext 250  
ask for Nancy Soctomah Lewey  
**Hotline:** 853-2613  
Or call the Tribal Police: 853-2551  
✧ **Houlton Band of Maliseets:**  
During Office Hours (M-F 8-4): 532-6401  
After hours: 441-9214  
Or call the Houlton Police: 532-2287

### Other Domestic Violence Services:

**Penobscot County** 947-0496  
(Spruce Run) 1-800-863-9909  
**Washington County** 255-4785  
(Peaceful Choices) 1-888-604-8692  
**Aroostook County**  
(Battered Women's Project) 1-800-439-2323



## MENTAL HEALTH AND SUBSTANCE ABUSE

**Wabanaki Mental Health Association, NPC** 990-0605  
or 990-4346 or 941-8964  
Fax#: 990-4784



## HELPFUL NATIVE AMERICAN WEB SITES

**Wabanaki Confederacy:**  
<http://communities.msn.com/WabanakiConfederacy>  
**Native Web:** <http://www.nativeweb.org/NativeTech/Nipmuc/>  
**Pine Tree Legal Assistance:** <http://www.ptla.org>  
**Index of Native American Resources on the Internet:**  
<http://www.hanksville.org/NAresources/>  
**Native Links:** <http://www.johnco.com/native/>  
**Native Sense:** <http://www.nativesense.com/>  
**Aboriginal Links:**  
<http://www.bloorstreet.com/300block/aborcan.htm>  
**Free Indian News:** <http://www.freeindiannews.com/>