



Wabanaki Legal News

Volume 3 Issue 2

A Newsletter of Pine Tree Legal Assistance

Summer 1999



Legislative Update--Welfare Changes

The following changes were enacted during the most recent legislative session:

✓ **Access to Prescription Drugs Expanded for Elderly and Disabled.** The Legislature appropriated over \$1 million to provide prescription drugs to more people in the non-Medicaid Low Cost Elderly Drug Program. This program gives help for prescription drugs related to 12 different medical conditions: cardiac conditions and high blood pressure, diabetes, arthritis, anticoagulation, hyperlipidemia, osteoporosis, chronic obstructive pulmonary disease and asthma, incontinence, thyroid diseases, glaucoma, Parkinson's disease, and multiple sclerosis and ALS (Lou Gehrig's disease). Under this program, your co-payment is no more than 20%.

The program was expanded in two ways. ✎ **First**, you will be eligible if you are a disabled adult or if you are 62 or over with an income below 185% of the federal poverty level (\$1,271/month for an individual; \$1,706/month for a couple). In some situations, your income can be higher if you have particularly high medication costs. ✎ **Second**, if you have a low cost drug card, you will be able to buy other prescription drugs for the same cost that the Medicaid program would pay. This means that drugs for illnesses not on the list above could save you roughly 15%. These changes are expected to take effect in October, 1999.

✓ **Cub Care Expanded.** Beginning July, 2000, cub care coverage will be expanded to reach children in families with incomes below 200% of the federal poverty guidelines (\$2,784 for a family of four). The current income cut-off is 185%.

✓ **Parents as Scholars "Participation" Rules Change.** Starting this fall, the participation rules will change somewhat. For your first two years, you will be required to participate 20 hours/week. If you attend school full time, you will meet this requirement because both your class time and study time will count (Study time will be assumed to be 1½ hours for every one hour of classes). For example, if you are taking 12 hours of classes, you will be participating for a total of 30 hours/week (12 plus 18 hours of study).

After the first two years, your participation will increase. You can choose one of the following options: ✎ **First**, you can participate in 15 hours of "work-site" experience in addition to classes and study; OR ✎ **Second**, you can participate in a total of 40 hours of education, training, study, or work-site experience. If you are taking at least 12 hours of classes, you may want to choose option 2. You will only have 10 hours a week of additional work requirement. If you are in a program that includes an internship or practicum, the first option may make sense for you.

Remember that you may be able to get more time to finish your program or you can reduce your participation requirement if you can show DHS that you have "good cause." "Good cause" includes: taking care of a family member with special needs, physical or mental health problems, illness, accident or death, lack of a support service, such as child care, and domestic violence. (Continued on page 3)

Outreach Schedule

Craig Sanborn, the Native American Unit attorney, is available for outreach on legal problems. Call 1-800-879-7463 to confirm the actual times.

Penobscot and Passamaquoddy Tribes:

Craig tries to be available at the Tribal Court on regularly scheduled court dates.

Micmac and Maliseet Tribes:

Craig tries to come to Aroostook County during the third week of each month. He is generally in Presque Isle on Wednesdays at the Pine Tree Office. He is, however, looking for an office on the reservation. He is in Houlton on Thursdays at the Social Services Office. If you want to get information on his schedule in Houlton, call Sue Deveau at 532-7260.

Pine Tree Case Summaries

The following are summaries of some of the cases Craig Sanborn has handled for Pine Tree's Native American Unit over the last six months. You can speak to Craig at 1-800-879-7463.

ASPIRE: A client called Craig because of a sanction by ASPIRE for "non-cooperation." The sanction was based on the client's failure to attend a scheduled Job Readiness Workshop or to tell the ASPIRE worker beforehand that she wouldn't be able to attend. Under ASPIRE, the first sanction results in a loss or reduction of benefits until the failure to comply is ended; a second sanction may result in a loss of benefits for three months; and the third sanction can result in a loss of benefits for six months.

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Native American Legal Briefs

--Tribal Sovereignty--

--Civil Rights--

--Custody of Aboriginal Child--

First Circuit Court of Appeals rules firing of community health nurse an "internal tribal matter"

In January, 1999, the First Circuit Court of Appeals reversed a Maine Federal District Court ruling over the firing by the Penobscot Nation of Cynthia Fellencer, a community health nurse. Ms. Fellencer had argued that her firing was discriminatory and that she should be allowed to present her case to the Maine Human Rights Commission without having to go to Tribal Court. The First Circuit agreed with the Nation on appeal and found that the firing was an "internal tribal matter" within the meaning of the Maine Indian Claims Settlement Act. This means that Ms. Fellencer's case cannot be heard by the Maine Human Rights Commission.

Ms. Fellencer has asked the United States Supreme Court for a Writ of Certiorari to review the First Circuit decision. If the Writ is granted, the case will be decided by the Supreme Court. If the Writ is denied, the First Circuit decision will stand. In that case, Ms. Fellencer will not be able to take her case to the Commission.

This case has had a lengthy history, beginning when the Nation first fired Ms. Fellencer in 1994. Earlier rulings by the Federal District Court and the Maine Superior Court have been detailed in prior editions of this Newsletter. (See Vol. 1, Issue 1 and Vol 2, Issue 2, or check our website at <http://www.ptla.org/wabanaki/wabanaki.htm> For an in depth discussion on Tribal Sovereignty issues in Maine, see Mark Chavaree's article in Vol 2, Issue 1, located on the web at <http://www.ptla.org/wabanaki/sovereign.htm>)

Briefly, Ms. Fellencer, a non-Indian, was hired by the Penobscot Nation in 1992 as a community health nurse. The Tribal Council voted to fire her in 1994. Ms. Fellencer decided not to take her case to Tribal Court. Instead, she went to the Maine Human Rights Commission, stating that she had been fired because of her race and national origin. The

Commission dismissed her complaint, believing that her firing was an internal tribal matter and that the Commission had no jurisdiction. The case then went to the Maine Superior Court and Federal District Court. Both times, the courts ruled in Ms. Fellencer's favor.

The First Circuit disagreed with those Courts. The Circuit Court noted that the relationship between the Nation and the State of Maine is controlled by the Maine Indian Claims Settlement Act and its companion, the Maine Implementing Act. Under those Acts, when the Nation acts on "internal tribal matters," its actions cannot be regulated by the State of Maine. The question facing the Court, therefore, was whether the firing of a public health nurse by the Penobscot Nation was an internal tribal matter.

In deciding that the Nation's actions were an internal tribal matter, the First Circuit looked at a number of factors. The Court first referred to an earlier decision, Akins v. Penobscot Nation. The Court noted that the Akins decision described five considerations which were used in that case to decide whether something should be treated as an internal tribal matter. The Court in this case decided that the Akins considerations were not an "essential test" for deciding whether something was an internal tribal matter. Rather, the Court treated the Akins considerations as only one aspect to be looked at in this case.

The issues that the Court in this case decided were the most important were (a) any interest the State of Maine might have in this case, (b) what Indian Law was understood to be before the adoption of the Settlement Act (the Court called this "prior legal understandings"), and (c) the nature of Ms. Fellencer's position.

The Court decided first that the State did not have an interest in this case. Normally, the State has a strong interest in protecting all employees against discrimination. In this case, however, the Court found that the State had not even tried to apply its laws to the Nation. In fact, the Maine Attorney General had ruled some time ago that tribal government employment decisions of the Nation are not regulated by the State. Also, the State did not intervene in this case.

The First Circuit next looked at "prior legal understandings." First, the Court found that there has been a longstanding federal policy giving tribal employment a unique legal status. Second, the Court noted that the Indian Civil Rights Act forbids discrimination by Indian tribes. However, in order to allow tribes to govern themselves, Congress

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("Summaries" continued from front page)

The client had missed the workshop because she was working at the time it was being held. Also, the notice requirement referred to by the ASPIRE worker was incorrectly interpreted.

Craig appealed the sanction for the client, arguing that the client had "good cause" for missing the workshop and that the notice requirement was not supported by federal regulations. The ASPIRE case manager agreed and the sanction was lifted.

Housing: Case 1. After spending several years on a waiting list for tribal housing, the client was finally selected to participate in a tribal home ownership program. The client was both asthmatic and arthritic. To meet her medical needs, the client was allowed to specify that her new home be a single floor home with no carpeting. The home was built and assigned to the client. In preparation for her scheduled move, the client closed out her existing tenancy and moved in temporarily with other family members. Within weeks before the client was scheduled to move, however, the housing authority told her that her home had been given to someone else because she had violated housing policy by being a long-term guest of another housing authority tenant.

Craig asked the housing authority for a hearing and represented the client. After the hearing, the housing committee re-assigned the home to the client.

Case 2. The client came to Craig to learn about her rights as a disabled person and to find out if a tribal housing authority was required as a matter of law to make her home handicapped-accessible. After reviewing federal, state and tribal law and the unique facts underlying this case, Craig agreed to negotiate with tribal officials. After numerous talks, the tribe agreed that the client's concerns should be addressed. Within four weeks, the client's home was made completely handicapped-accessible.



("Legislative Update" continued from front page)

✓ **More Money available for Subsidized Child Care.** Beginning July 1, 1999, the Legislature has provided more funding for subsidized child care. If you are eligible, but have not applied in the past because of long waiting lists, think about applying now. Even if you are put on a waiting list, your chances of getting subsidized child care will improve.

✓ **TANF increase approved.** Effective July 1, 1999, over 12,000 people will benefit from a 5% increase in their TANF grant. There have also been changes in the method of calculating earned income. If you live in one of the eight counties where enhanced benefits are provided, you will not see any



PINE TREE LEGAL ASSISTANCE

Pine Tree Legal Assistance is a non-profit organization which 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 which it handles. We have given high priorities to the following kinds of cases:

- ✓ 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, unemployment, etc.)

If you are low-income and need legal help in one of these areas, call the nearest Pine Tree office. If you are a farm worker 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.

change in your TANF check. For more detailed information, call the Maine Equal Justice Partners at 626-7058 and ask for the most recent edition of the MAIN Update. You can also read the MAIN Update on the internet at

<http://www.bairnet.org/organizations/main/>

✓ **Changes in Food Stamps.** The normal rule for qualifying for Food Stamps is that able-bodied, unemployed adults without dependents can only get food stamps for three months. There are exemptions from this requirement, however. Recently, the Department of Human Services *expanded* the list of people who can be exempt from this three-month limit. You will now be exempt from the three-month limit if you ☐ have an eighth grade education or less; ☐ are homeless; ☐ have limited proficiency in English; or ☐ if you don't have transportation to get to your job. If you live in the following regions, the three month limit does not apply: Aroostook County, Franklin County, Oxford County, Piscataquis County, Somerset County, Washington County, the Penobscot Indian Reservation, and the Ellsworth/Bar Harbor Labor Market Area in Hancock County.



("Briefs" continued from page 2)

intended that discrimination cases involving Indians could be heard **only** in Tribal Courts. These two aspects of federal Indian common law were understood at the time that Congress passed the Settlement Act. The Court found, therefore, that these aspects of Indian law should be read into the Settlement Act's definition of internal tribal matters.

Finally, the Court looked at the nature of Ms. Fellencer's position itself. The position was funded by the Indian self-determination and Education Assistance Act of 1975. That Act includes an employment preference for Native Americans. The Court decided that this federal employment preference made an important difference. While cities and towns may not use this kind of employment preference in their hiring and firing decisions, the case is different within an Indian Tribe in Maine.

Superior Court issues Consent Orders to prevent harassment of Passamaquoddy students at Lee Academy

In February of 1999, the Maine Attorney General's Office filed a complaint against two teen-aged boys in Lee for allegedly harassing Native American students at Lee Academy. Later that month, the Superior Court issued a Consent Order prohibiting the boys from harassing those students or their families. A Consent Order means that the two teen-agers charged agreed to the terms of the Order without going to a hearing. They did not admit, however, that the events outlined in the Attorney General's Complaint were true.

According to the Complaint, the two teen-agers, Jonathan Rhoades and Garnet Raymond, Jr., threatened a Passamaquoddy student after a fight broke out between the Passamaquoddy student and a

white student. Jonathan Rhoades is a student at the Academy. Garnet Raymond, Jr. is not.

Later that morning, the two teen-agers allegedly parked in front of the school and pulled out a tire iron. At that point, an administrator at the school brought most of the Passamaquoddy students into a classroom for their protection. Later, the two teen-agers, with some other white male students, yelled at the Passamaquoddy students and demanded that they come outside and fight. Racist graffiti was allegedly discovered in the senior lounge.

At this time, a teacher began to drive the Passamaquoddy student home, along with another Passamaquoddy student. The teacher noticed that he was being followed by Rhoades and Raymond. When the teacher stopped at a store to buy lunch, Rhoades and Raymond allegedly followed them all inside and threatened the first Passamaquoddy student. The teacher and other adults in the store escorted the students outside and they drove away without further incident.

Out of concern for the safety of all the Passamaquoddy students, the administrators at Lee Academy sent the Passamaquoddy students home and closed the school early for all students.

Under the Consent Orders, Rhoades and Raymond may not enter the property of Lee Academy or either of the Passamaquoddy reservations without permission. They are also prohibited from assaulting or threatening any Passamaquoddy students or their families and from encouraging anyone else to assault or threaten Passamaquoddy students. Any violation of the Consent Order is a Class D crime punishable by up to one year in Jail and a fine of up to \$2,000.



Supreme Court of Canada awards custody of aboriginal child to adoptive, non-native grandparents

In February of 1999, the Supreme Court of Canada handed down a decision in a child custody case involving the young son of an aboriginal Canadian mother. The mother is a member of the Swan Lakes First Nation of Manitoba. For several years before the decision, the child had been living with his biological, aboriginal grandfather. The decision gave custody of the child to the mother's non-native, adoptive parents who live in Connecticut. The decision has deeply angered many in the Canadian aboriginal community.

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Safer Families Project Helps Fight Family Violence

If a member of your family

- ✓ physically hurts you or threatens to hurt you
- ✓ makes you fear that you will be physically hurt
- ✓ forces you to do things you have a right not to do or forces you not to do things you have a right to do

✓ stalks or continually follows you, it is abuse. The courts will help you protect yourself and your family from abuse by issuing a Protection from Abuse Order. This will order the person not to contact you or your children.

To learn more about these laws or to get help in getting a Protection From Abuse Order, call the Safer Families Project at Pine Tree Legal Assistance at 942-8241.



("Briefs continued from page 4)

According to Vice Chief Dennis White Bird, the Manitoba representative to the Assembly of First Nations in Canada, during the 1960's until the early 80's, the Canadian Government engaged in "exporting" First Nation children to the United States and Europe. Vice Chief White Bird called this policy "genocidal" and said that it resulted in "decimating our population." The Assembly of Manitoba Chiefs views this case as part of that policy. Vice Chief White Bird explained that the Assembly had been following the progress of this case for an extended period of time and has given its "moral support" to the biological grandfather as well as to the child.

The Supreme Court of Canada decision reinstated a lower court decision in British Columbia, where the trial judge had ordered that custody be given to the Connecticut grandparents. The facts found by the trial court were as follows.

Nancy and Duncan Haimerl were a childless couple living in Montreal. They adopted two Aboriginal sisters, one of whom, Melissa, eventually became the mother of the child in question. A year later, the Haimerls moved to Connecticut.

Over the years, the trial judge found, Melissa had serious behavioral and psychological problems. As a result, she attended a series of state and local institutions for troubled children. In 1994, Melissa became pregnant with Ishmael and eventually moved back in with her adoptive parents. The possible father, who is African American, has denied paternity, although he has had some contact with the child.

Melissa cared for Ishmael at first. Then she started to disappear for two to three weeks at a time, leaving her adoptive parents to care for the baby. They established a strong bond with the baby over the period.

At about this time, Melissa, with the encouragement of her adoptive parents, contacted her birth parents, living in Vancouver. She visited them, staying for about 2½ months. She returned to Connecticut in the late summer of 1995. In November, Melissa took Ishmael and moved in with her birth father in Vancouver.

The Haimerls finally located Melissa and the baby. Ishmael was placed in foster care in British Columbia in mid-November of 1995. In February of 1996, however, an interim custody order in British Columbia awarded temporary custody to Melissa's birth father. Melissa has never asked that she be



given custody of Ishmael. She has strongly supported her birth father's claim, however. Ishmael was in his birth grandfather's custody from March of 1996 until the Supreme Court of Canada's ruling on the case in February of 1999. Since the ruling, Ishmael has been returned to Connecticut, where he is today.

The trial judge looked closely at both parties asking for custody of the child. He found that both sets of grandparents loved the child and had bonded with him. The judge believed that both sets of grandparents would provide a home and care for the child. In settling on the Haimerls, however, the judge appeared to give great weight to the fact that the Haimerls could offer greater economic security and that they had promised to make Ishmael appreciate his cultural heritage.

The trial judge gave some consideration to the language of the Child and Community Services Act which states that "the cultural identity of aboriginal children should be preserved." He noted, however, that the child's heritage also included his African-American background. The judge concluded that

this is not a case of taking an aboriginal child and placing him with a non-aboriginal family in complete disregard for his culture and heritage. The fact is that Melissa is the daughter of [the Haimerls] and Ishmael is their grandson.

On appeal, the Court of Appeal for British Columbia reversed the earlier decision. The judge found that the trial judge had "placed undue emphasis on economic matters and underemphasized ties of blood and culture." The judge also gave weight to the fact that the child had been living with his biological grandfather for some two years. The Supreme Court decision reversed the Court of Appeal, but did not discuss the case in any detail.

Following the Supreme Court of Canada decision, the Sagkeeng First Nation, an intervenor in the case before the Court of Appeal, asked the Supreme Court to rehear the case on procedural grounds. The Court decided that no purpose would be served by reopening the proceeding.

NOTE: If you want to be represented as an interested third party in an ICWA proceeding concerning a child who is in your extended family or who is a member of your tribe, feel free to call Craig Sanborn of the Native American Unit. The number is 1-800-879-7463.



PINE TREE LEGAL ASSISTANCE

OFFICE HOURS



* Tribal Court/Administration
★ Pine Tree Legal Assistance

145 Lisbon St., 7th Floor
Lewiston, ME
Phone Intake: 784-1558
Hours: M-F 8:30-12:30

Native American Unit
61 Main Street
Bangor, ME
Intake: M-F 8:00-3:00
1-800-879-7463

OFFICES

39 Green St., Augusta, ME
Phone Intake: 622-4731
Hours: M-F 8:30-12:30

61 Main St., Bangor, ME
Phone Intake: 942-8241
Hours: M-F 8:00-3:00

12 Cooper St., Machias, ME
Phone Intake: 255-8656
Hours: M-W 8:00-4:00

88 Federal St., Portland, ME
Phone Intake: 774-8211
Hours: M-F 8:30-12:30

373 Main St. Presque Isle, ME
Phone Intake: 764-4349
Hours: M-F 8:30-12:30

Farmworker Unit
61 Main Street
Bangor, ME
Intake: M-F 8:00-3:00
1-800-879-7463

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



What is The Rakers' Center?

The Rakers' Center is where many agencies have offices during the blueberry harvest season to help blueberry rakers with a number of different issues. The center is in Columbia, ME at the Columbia Town Hall.

The following agencies will be there: Head Start, Food Stamps, Pine Tree Legal Assistance, the Health Clinic, General Assistance, Job Service, Social Security, Training and Development Corporation, the Summer Youth Program, a food pantry, and the Red Cross.

Check the Rakers' Center notice for specific times. The Rakers' Center is open Monday to Friday. The Center's number is 483-6031.

Legal Issues In Tribal Employment

**FRIDAY, SEPTEMBER 17, 1999
SAMOSET RESORT
ROCKLAND, MAINE**

A CONFERENCE SPONSORED BY
THE PENOBSCOT NATION
THE PASSAMAQUODDY TRIBE, AND
UNITED SOUTH AND EASTERN TRIBES, INC.

PRESENTED BY
DRUMMOND WOODSUM & MACMAHON
ATTORNEYS AT LAW, PORTLAND, MAINE

Employment within tribal enterprises and Indian country is a testing ground for tribal self-government. This conference is for tribal officials, attorneys, human resources personnel, and anyone interested in current legal problems affecting employment in Indian country. Participants will be updated on current developments in the law; innovative tribal employment regulations, rights, and remedies; and practical, problem-solving tools in personnel management.

CONFERENCE TOPICS AND SPEAKERS (Partial Listing)

Federal Policy Initiatives Affecting Tribal Employment

Hon. Kevin Gover
Assistant Secretary of Indian Affairs

Sustainable Tribal Economies

Winona LaDuke
Program Director, Honor the Earth Foundation

Civil Rights Issues in Tribal Employment

Kaighn Smith, Jr.
Drummond, Woodsum & MacMahon, Portland, Maine

The Application of Federal Labor and Employment Laws

Leander Bergen
Nordhaus, Haltoim, Taylor, Taradash & Frye,
Albuquerque, New Mexico

Using Tribal Employment Regulations and Remedies

Patrice Kunesh
Mashantucket Pequot Tribal Nation

Attendees will receive a conference handbook with written material on these and other subjects to be covered.

A reception will be held for conference participants, speakers and guests on Thursday September 16, 1999 from 6:00 p.m. to 7:00 p.m. The conference program will be held throughout the day on Friday, September, 17. For more information, please contact: Kaighn Smith, Jr., Drummond, Woodsum & MacMahon, 245 Commercial St., Portland, Maine 04104 (207) 772-1941 email: ksmith@dwmlaw.com.



Position Available:

Immediate opening for a two-year position as paralegal advocate in Native American Unit, Bangor Office of Pine Tree Legal Assistance, to help low-income tribal members statewide with civil legal problems. Significant travel around Maine doing tribal outreach is likely. Good skills in providing legal support over the phone, and previous experience as an advocate or appropriate education/training required. Native Americans are strongly encouraged to apply. Good salary, benefits and leave. Interested applicants should write to Eric Nelson, Directing Attorney, Native American Unit, Pine Tree Legal Assistance, 61 Main Street, Bangor, ME 04401 with a letter, resume and brief writing sample. If you have questions, call Eric Nelson or Native American Unit Staff Attorney Craig Sanborn at 1-800-879-7463.

*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.*

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.

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Native American Unit:

Directing Attorney: Eric Nelson, Esq.

Staff Attorney: Craig Sanborn, Esq.

Editor: Cushing Pagon Samp

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.



INDEX of COMMUNITY RESOURCES



CRISIS

(available 24 hours a day)



- Adolescent Crisis Stabilization.....1-800-499-9130
- Adult & Child Abuse/Neglect.....1-800-452-1999
- Domestic Violence: Penobscot.....1-800-863-9909
or 947-0496
Aroostook.....1-800-439-2323
or 769-8251
Washington.....1-800-432-7303
or 255-4785
- Mental Health.....1-800-245-8889
- Poison Control Center.....1-800-442-6305
- Rape Crisis.....1-800-310-0000
- Youth Crisis Stabilization.....1-800-499-9130

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

1-800-860-1460

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

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

1-800-442-4293

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

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

University of Maine Student Legal Services:

If you are an undergraduate student at the University, 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.

Telephone: 207-287-2711

TDD: 207-287-4472

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: 207-287-4228

TTY: 207-287-1798

Inmate Advocate Office, Department of Corrections:

This office gives paralegal and advocacy services for Maine State Prison inmates.

Telephone: 207-354-2535, ext. 303



SOCIAL SECURITY:.....1-800-772-1213
Bangor Area.....990-4530

DISCRIMINATION:
Housing Discrimination.....1-800-669-9777
Human Rights Commission.....624-6050
ME Civil Liberties Union.....774-5444

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 State House Station 6, Augusta, ME 04333.
Telephone: 626-8849

• **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

• **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

• **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:**

ME Job Service/Aroostook.....532-9416 or 764-0351
ME Job Service/Penobscot.....561-4600
ME Job Service/ Washington.....454-7551
State Bureau of Labor
(wage or child labor complaints).....624-6410
US Dept. of Labor (Wages and Hours Division).....945-0330

• **Housing:**

Maine State Housing Authority.....1-800-452-4668
Farmers Home Administration.....947-0335

• **Insurance:**

Bureau of Insurance.....624-8475

• **Mobile Homes:**

Manufactured Housing Board.....624-8612
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

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

800 Central Drive
Presque Isle, ME 04769
1-800-432-7881 or 764-3721

Penquis Community Action Program

262 Harlow Street,
Bangor, ME 04401
973-3500

Washington-Hancock Community Agency

Maine and Maple Streets
Milbridge, ME 04658
546-7544



TRIBAL GOVERNMENT and AGENCIES

Aroostook Band of Micmac Indians.....764-1972
Houlton Band of Maliseet Indians.....532-4273
Penobscot Indian Nation.....827-7776
Passamaquoddy Tribe.....796-2301 and 853-2600

PENOBSCOT TRIBAL COURT SYSTEM

Court Administrator (George Tomer).....827-7776
Clerk of Courts (Clara E. Mitchell).....827-5639
Tribal Prosecutor (David Gray).....827-5639
Juvenile Intake/Probation Off'r (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).....796-2301
Juvenile Intake/Probation Off'r (John Dana).....796-2301
Pleasant Point Division:
Clerk of Courts/Administrator (Dorothy Barnes).....853-2600
Juvenile Intake/Probation Off'r (Edward Nicholas).....853-2600
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.....853-0711
• Indian Township Health Center.....796-2321

MENTAL HEALTH AND SUBSTANCE ABUSE

• Wabanaki Mental Health Association, NPC.....990-0605
or 990-4346

Some Helpful Native American Web Sites:

Nipmuc Indian Association
of Connecticut.....<http://www.nativeweb.org/NativeTech/Nipmuc/>
Pine Tree Legal
Assistance.....<http://www.ptla.org/wabanaki/wabanaki.htm>
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/>