



Wabanaki Legal News

Volume 4 Issue 2

A Newsletter of Pine Tree Legal Assistance

Summer 2000



Legislative Update

Proposed legislation affecting Native Americans had mixed results during the last legislative session.

The greatest success for Native Americans was LD 2418. This bill banned the use of the word "squaw" from place names. The bill removed the use of the word from 25 areas around the state. The legislation does not affect private businesses.

Two proposed bills, however, were not enacted. The first, LD 2607, would have cleared the way for a high-stakes bingo parlor in Albany Township. This bill would have allowed the Passamaquoddy Tribe to include land already owned by the Tribe as Indian Territory. The Maine Supreme Court had stated earlier that the legislature had begun, but not finished, the procedure to treat the land as Indian Territory. The proposed bill was designed to finish the procedure, as laid out by the Court. See discussion of the Law Court's decision in the article titled "Native American Legal Briefs" in this edition. See also the article on the Maine Indian Tribal State Commission.

The other bill that failed to pass was LD 2178. This proposal would have extended sovereignty rights to the Houlton Band of Maliseets. The bill was designed to give the Maliseets the same rights to self-govern that the Passamaquoddy and Penobscots have. The bill would have given the Maliseets the power to enact ordinances dealing with hunting, trapping and fishing; to post and regulate Tribal lands; to establish a Tribal Court; to have its own police department; to have the authority to enter into mutual-aid agreements with other towns; and to establish a Tribal school.



Pine Tree Case Summaries

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

Case One: Insurance

The client allowed another person to drive her car. While the other person was driving, the car was struck by another car. The insurance company investigated and discovered that the driver of the other car was at fault. The company sent a check for the damages to the client's car. The company, however, sent the check to the driver and not to the client. The driver refused to turn over the

(Continued on Page 3)

Members of the Maine Indian Tribal State Commission Debate Future of Commission

The Maine Indian Tribal State Commission was created in 1980 by the Maine Implementing Act. The Commission was part of the settlement of the Maine Indian Land Claims case. Among other responsibilities, the Commission is required to continually review the effectiveness of the Settlement Act and the relationship between the State and the Penobscot and Passamaquoddy Tribes. The Commission also makes recommendations about whether certain land purchases should be included as Indian Territory.

Members of the Maine Indian Tribal State Commission reviewed LD 2607, a bill to include a parcel of land in Albany Township as Indian Territory. The purpose of the bill was to correct a legislative oversight that had been pointed out earlier by a decision of the Maine Supreme Court. The Commissioners voted to support the bill 5-3, with one member absent. The Commission had already voted to support the inclusion of this land as Indian Territory in 1991. The three members who opposed supporting the bill believed that the Commission needed to go through its review process again. Four State members then sent a letter to the Legislature's Judiciary Committee stating that they believed that the Law Court's decision had invalidated the Commission's 1991 approval.

At the next meeting of the Commission, on April 28, 2000, Eric Altvater, one of two Passamaquoddy members of the Commission, resigned. He stated that he had resigned because the State members had sent a letter that

(Continued on page 6)



Outreach Schedule



Craig Sanborn, the Native American Unit attorney, is available for outreach on legal problems. Call 1-800-879-7463 to find out when he will be available.

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 every other month. On the months that he comes, he comes up during the third week of that month. During that week, he is in Presque Isle on Fridays at the Pine Tree Office. Craig continues to look for an office on the reservation. When he is in Aroostook County, Craig will be in Houlton on Thursdays at the Social Services Office. To get information on Craig's schedule in Houlton, call Sue Deveau at 532-7260.



Welfare Updates

The following articles are based on information provided by the Maine Equal Justice Partners (MEJP) in the MAIN Update. You may call MEJP at 626-7058. Their web site is www.mejp.org



Low Cost Drug Program Expanded

As the costs of prescription drugs have soared, more and more people who desperately need them are being left out in the cold. Over the last few years, MAIN has worked, together with its allies, to expand the Low Cost Drug Program so that it will provide more help to more people.

How Does the Low Cost Drug Program Work Today?

Today, you are eligible for the Low Cost Drug program if:

- You are a Maine resident; **and**
- You are age 62 years old or older; **OR** 19 years old or older and determined disabled under the standards of the federal Social Security program; **and**
- Your *monthly* family income is less than--\$1,288 for a family of 1; \$1,735 for a family of 2; \$2,182 for a family of 3; or \$2,629 for a family of 4.

If your income is over these limits, you may still be eligible if:

- You spend at least 40% of your income on prescription drugs or other medications; **and**
- Your monthly family income is less than--\$1,610 for a family of 1; \$2,169 for a family of 2; \$2,727 for a family of 3; and \$3,286 for a family of 4.

If you are eligible, you will get a low cost drug card. With the card, you will get both the **basic program** and the **supplemental program**.

The **basic program** pays for 80% of the cost of prescription drugs used to treat these medical conditions:

diabetes; heart conditions and high blood pressure; arthritis; chronic lung disease; anticoagulation; hyperlipidemia (high cholesterol); osteoporosis; asthma; incontinence; thyroid diseases, glaucoma, Parkinson's disease; multiple sclerosis and A.L.S. (Lou Gehrig's disease).

You will have to pay the remaining 20% of the cost. If you have questions about whether specific drugs are covered you can call the Bureau of Medical Services at 1-800-321-5557, extension 7-1818, or (207) 287-1818.

The **supplemental program** gives you all other drugs at the price that the Medicaid program pays for it minus \$2.00. Although the Medicaid rate is often lower than the regular retail price, the cost of drugs in the supplemental program is still out of reach most people.

How is the Low Cost Drug Program going to expand?

Since there is not enough money to cover the costs of all the drugs people in the program need, a decision had to be made about how to expand with only the money at hand. Here is what the legislature decided:



Coverage for Generic Drugs. In August or September, the Low Cost Drug Program is going to expand to cover 80% of the cost of *all generic* drugs that are normally covered by the Medicaid program

A Catastrophic Plan. There will be another expansion in the Low Cost Drug Program as well. This summer, DHS will decide how to provide "catastrophic" drug coverage. After you incur a certain amount of cost on your prescription drugs, the Low Cost Drug Program will pay for 80% of the costs of all your drugs thereafter. DHS will decide this summer how much people must incur in costs before this 80% coverage kicks in. They will also decide how long the coverage will last before you must again incur your share of costs.

This plan will work like a large insurance "deductible." In the course of a year, once you spent \$1,000 on drugs (your "deductible"), the Low Cost Drug Program would cover 80% of your costs for the remainder of the year. When the next year started, you would again have spend \$1,000 on drugs. Drugs covered by the basic or supplemental programs would count toward your deductible.



Health Coverage for 10,000 More Parents Passes

After a two-year effort by many MAIN members and parents, legislation passed that will expand Medicaid to an estimated 10,000 more low income parents. The new law raises the income limit for Medicaid for parents from 100% of the poverty level (\$14,150 for a family of 3) to 150% of the poverty level (\$21,225 for a family of 3). In addition, working two-parent families who meet the income guidelines will now become eligible.



Details on Parents and Medicaid – Who is Eligible Now and Who Will Be Soon?

Today, many parents living with their children are eligible for Medicaid – and, beginning in August, many more soon will be. Medicaid is no longer just for parents on welfare. It is becoming comprehensive health coverage for almost all low-income parents. Here are some details.

Who is Eligible from Now until August, 2000

Parents (or caretaker relatives) caring for children are
(Continued on Page 3)





("Welfare" continued from page 2)
eligible for Medicaid if:

- the family is headed by a single parent, or
- there are two parents in the home, one parent is unemployed (working less than 130 hours a month), or incapacitated; and
- family income is less than 100% of the federal poverty level (see chart below); and
- the family does not have assets in excess of Department of Human Services (DHS) rules (see box below).

There is no time limit on Medicaid. As long as you are eligible, you can receive it.

Transitional Medicaid: Transitional Medicaid is for parents who lose regular Medicaid because of increased wages or hours of work or increased child support. If you get Medicaid for even one month, and then lose it because your wages increase, you can *still* qualify for Transitional Medicaid benefits for up to 12 months more. For the first 6 months you are eligible regardless of your income. For the second 6 months your income must be less than 185% of the federal poverty level. There are *no* asset limits for Transitional Medicaid. If you lose regular Medicaid because of an increase in child support, you will receive Transitional Medicaid for an additional 4 months. *Transitional Medicaid primarily affects parents. Their children will get Cub Care or Medicaid as long as the family income is below 200% of the poverty level (the eligibility limit for the children's health care program).*

(Continued on Page 4)



**PINE TREE
LEGAL
ASSISTANCE**
OFFICE HOURS



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

1 School St., Machias, ME
Phone Intake: 252-2222
Hours: M-F 8:30-12:30

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

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

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

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

("Summaries" continued from front page)

check to the client. At that point, the client came to Pine Tree for help. Craig was able to convince the insurance company to re-issue a second damage award to the client.

Case Two: Banishment

A Tribe brought criminal charges against the client. Rather than go to trial on the criminal charges, the parties entered into a plea agreement. Under the agreement, the client pleaded guilty and received a partially suspended sentence and special conditions of probation. One of the conditions of probation was that the client not have any direct or indirect contact with the victims. However, the second condition went further and stated that the client should not have any contact with the Reservation without prior permission from his probation officer. The client then contacted Pine Tree. Craig moved for a correction of the sentence. Craig argued that the Tribal Constitution prohibited the Tribal Government, including the Tribal Court, from banishing members. After argument, the Tribal Court denied the client's motion. The case has now been appealed to the Tribal Appellate Court.

Case Three: Custody

The client came to Pine Tree to help get a custody order. The client alleged that the child's father became increasingly abusive as the relationship between the father and the client ended. Mediation failed and the

(Continued on page 6)



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.)

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.



("Welfare" continued from page 3)

EXAMPLE: Jane and her two children have received regular Medicaid for about a year. She works part time as a medical technician at the local hospital. The hospital offered her full-time work. Her earnings now make her ineligible for regular Medicaid. But *she* can receive Transitional Medicaid for 6 months and for another 6 months if her income remains below 185% of the federal poverty level. Her two *children* will remain eligible for Medicaid or Cub Care for as long as the family's income remains under 200% of the poverty level.



Who is Eligible Beginning August 2000? -- Many More People!

Beginning in August 2000, Parents -- or caretaker relatives with children in the home -- will be eligible for Medicaid if:

- The family income is less than 150% of the federal poverty level, **and**
- The family does not have assets in excess of DHS rules.

Transitional Medicaid benefits will work the same way it does now. In other words, when a family becomes ineligible for regular Medicaid because of earnings or child support, they will become eligible for Transitional Medicaid for up to 12 months.

2000 Monthly Income Eligibility Limits for Medicaid and Transitional Medicaid

Family Size	2	3	4	5	6
Regular Medicaid (100% of poverty)	\$938	\$1,180	\$1,421	\$1,663	\$1,905
Regular Medicaid (150% of poverty) beginning 8/2000	\$1,407	\$1,769	\$2,132	\$2,494	\$2,857
Transitional Medicaid (185% of poverty)	\$1,735	\$2,182	\$2,629	\$3,076	\$3,523

**Even if your income is a little over the amounts in this chart or if you have child-care costs, you should still apply! Some of your income may not be counted by DHS, and most of your child-care costs are deductible.*

What Are the Medicaid Asset Limits for Parents

Parents must have assets within DHS limits to qualify for Medicaid. (There is no asset limit for children or pregnant women applying for Medicaid or Cub Care). The general asset limit for parents is \$2,000. This means that a family cannot have cash, savings, stocks, bonds, property or other valuable items worth more than \$2,000. However, there are many important exceptions to this rule. For example, certain assets are *not counted at all* by DHS in determining eligibility. Here is a list of common assets that will *not affect your eligibility for Medicaid*:

- Your home and surrounding lot;
- One vehicle;
- Basic items used in day-to-day living such as household furnishings, tools and equipment;
- Property used to produce income, such as boats, trucks, machinery;
- Real property that the household is making a good faith effort to sell; Up to \$10,000 transferred to a specified account (an account approved by the department) that can be spent only for the following purposes: education, home repair, a vehicle needed for work or school, small business start up, health care, to address an emergency or other essential family need approved by DHS;
- The cash surrender value of life insurance; and
- Loans that there is a clear obligation to repay.

Always err on the side of applying if you think there is any chance that you may be eligible.

More Families will be Eligible For Food Stamps!



If you have a child and have been denied food stamps because you have too many assets -- such as a car that is worth too much -- then you may soon be eligible!

Effective by August at the latest (and probably as soon as June or July) families with children who are not on TANF are not going to have their assets -- most commonly the car they need to go to work -- counted against them. So if you are having trouble making ends meet and need food stamps, don't let that \$5,000 car or other needed asset worry you -- apply!

Drug Pricing Board Established

This session, the Legislature passed a new law to lower prices by making the State of Maine a bulk purchaser of drugs for Maine citizens. If that doesn't sufficiently lower prices, the Commissioner of the Department of Human Services, with the advice of an advisory board, will have the power to impose price controls on July 1, 2003.



The Rx Program. No later than January 2001, the new law will create a state-wide Rx Program for Maine residents. Any Maine resident will be eligible for the Rx card. The state will negotiate lower drug prices for those with an Rx card. While big discounts are not expected for Maine people right away, the goal of the legislation is to use the state's bulk buying power to negotiate prices down to the price the federal government buys drugs for -- a substantial discount if it can be achieved. The more people who use the Rx card, the more power the state will have to negotiate lower prices.

I have Medicaid, should I get an Rx Card? Medicaid provides good prescription drug coverage. Drugs on Medicaid will only require a small co-pay and will be much, much cheaper than the Rx card.

(Continued on page 5)





("Welfare" continued from page 4)

I have a Low Cost Drug Program card, how will the Rx Program effect me? For the thirteen illnesses that are covered for 80% of the cost by the basic Low Cost Drug Program, you will want to use your Low Cost Drug Card. Also, the Low Cost Drug Card will be best for all generic drugs, which will also be covered for 80% of the cost by the early fall. For drugs that are not 80% covered by the Low Cost Drug Program, it is not known yet whether the best price will be with the Rx program or the Low Cost Drug Program. After January 2001, when the Rx program is supposed to begin, ask your pharmacist.

Price Controls. If drug prices are not lowered by 2003 using Maine's market power, the Commissioner of the Department of Human Services will have power to impose price controls on drugs.



residents opposed the Passamaquoddy's request. After a hearing, LURC granted both the rezoning and permit requests. LURC's decision was appealed to the Superior Court. The Superior Court decided that the parcel was not in fact Indian Territory. Therefore, since high stakes bingo is not permitted except in Indian Territory, the Court ruled that it was improper for LURC to have granted the Passamaquoddy's request. The Superior Court's decision was then appealed to the Maine Supreme Court. The Supreme Court upheld the Superior Court decision.

In reaching its decision, the Supreme Court looked at the language of the statute. The Court found that the Albany land did not meet the statutory requirements for being Indian Territory because the land had not been transferred to and accepted by the Secretary of the Interior before January 31, 1991.

The Court next looked at the question whether the statutory language was meaningless or absurd on its face. On the one hand, the Albany land was clearly described in the statute as land that could be designated as Indian Territory. On the other hand, the language requiring acceptance by the Secretary was not amended to allow the land to be added as Indian Territory. The Court found that this was not a meaningless or absurd result because the legislature could act at any time in the future to extend the time by which the Secretary could accept the land. The Court pointed out that the legislature theoretically knows how to amend the date and had, in fact, changed the date on a number of occasions in the past.

Finally, the Court noted that there was nothing that allowed the Court to read into the statute a different deadline for the Secretary's acceptance of the land. The Court concluded that it was not free to substitute a different date for acceptance. It stated that "[s]uch speculation and legislative redrafting is wholly outside of our role as a court."

Legislation to allow the land to be included as Indian Territory was introduced during the last legislative session, but did not pass.

Supreme Court of Canada to Hear Appeal of Case Involving Aboriginal and Treaty Cross-Border Rights

On June 16 of this year, the Supreme Court of Canada heard an appeal from the Federal Court of Canada in a case involving the rights of Akwesasne Mohawks to bring goods for personal and community use from the United States into Canada without having to pay customs duties or sales taxes.

On March 22, 1988, Michael Mitchell, also known as Kanantakeron, entered Canada from New York State at Cornwall Island. Mr. Mitchell is the Grand Chief of the

(Continued on page 6)



Native American Legal Briefs

--Indian Territory--

--Cross Border Rights--

Maine Supreme Court Rules Land in Albany Township Not Indian Territory

In 1988, the Passamaquoddy Tribe bought land in Albany Township from a Tribal member. In 1992, state legislation was passed to amend the Maine Indian Land Claims Implementing Act. The amendment added to the list of parcels of land that could be designated Indian territory. One of the parcels listed was "any lands in Albany Township acquired by the Passamaquoddy Tribe before January 1, 1991." However, there was a pre-existing requirement in the Act that before any land could be added as Indian territory, it had to be transferred to the Secretary of the Interior in trust and certified as accepted by the Secretary on or before January 31, 1991. That language was not changed when the Albany land was added to the list of parcels of land. The Albany land was transferred to the Secretary, but it was not approved until October 21, 1994.

In 1997, acting on the assumption that the land in question was Indian territory, the Passamaquoddy Tribe applied to the Land Use Regulatory Commission asking that the parcel be rezoned for "General Development" and that a development permit be issued to allow construction of a high stakes bingo facility. Some area



("Legal Briefs" continued from page 5)

Mohawks of Akwesasne. He entered Canada with a washing machine, 20 bibles, 10 blankets, used clothing, 10 loaves of bread, two pounds of butter, 4 gallons of milk, six bags of cookies, 12 cans of soup and a case of motor oil. The motor oil was brought into Mohawk territory for resale to Tribal members. All the other items were intended as presents for residents of the Tyendinaga Indian Reserve, traditional trading partners of the Mohawks. Mr. Mitchell declared the goods at Customs, but refused to pay duty or sales tax on them. He claimed an aboriginal and treaty right to be free of duty on the items. The goods were later presented to residents on the Tyendinaga Reserve as part of a ceremony to show a renewed commitment to trade.

In September of 1989, the Canadian Minister of National Revenue demanded that Mr. Mitchell pay \$361.64 in duties, sales tax and penalties. Mr. Mitchell challenged the Minister's action in Federal Trial Court. The Trial Judge decided that there was an aboriginal right to "pass and repass freely across what is now the Canada-United States boundary including the right to bring goods from the United States into Canada for personal and community use without having to pay customs duties on those goods." The trial judge also found that "goods for personal and community use" included goods used for sustenance, household goods and goods used for First Nations' custom. The judge decided that these goods included goods for non-commercial trade with all First Nations. The trial judge's decision was then appealed to the Federal Court of Canada, the Canadian federal appellate court.

On November 2, 1998, the Federal Court issued its decision in this case. It agreed that there was an aboriginal right, but it found that the trial judge had defined the right too broadly. The Federal Court decision stated that the aboriginal right in this case was limited to the Mohawks of Akwesasne when they crossed the international border at Cornwall Island. The right was limited to goods for personal use or consumption or goods for the collective use or consumption by the Akwesasne community and did not apply to non-commercial trading. Finally, the right was limited to goods bought in the State of New York. In other words, the aboriginal right was site specific. The Federal Court relied on the findings of the trial judge that the early practice of the Akwesasne Mohawks was not to pay duties on goods bought in the State of New York for use on the Awesasne Reserve. It is this decision which has been appealed to the Supreme Court of Canada.

("Summaries" continued from page 3)

parties moved for a contested hearing. Right before the hearing, the father withdrew his opposition and consented to all of the client's demands.

Case Four: Interstate Custody

The client learned that his ex-girlfriend had become

pregnant, had given birth to their child, and had given the child up for adoption. The client did not find out about any of this until after the ex-girlfriend had moved out of state. The client was able to intervene successfully and win back the custody of his child in an out-of-state hearing. However, the client came to Pine Tree to get help in registering the out-of-state court order in Maine. Craig got the order registered so that the out-of-state custody award would be recognized in Maine.

Case Five: Eviction

The client contacted Pine Tree when her landlord turned off the power to her home. Craig was able to convince the landlord to turn the power back on after calling the landlord's attorney. Craig retained the right to bring suit against the landlord for his actions. Because the court will award attorney's fees in such cases, Craig referred the client to a private attorney to file suit against the landlord.

("Commission" continued from front page)

did not represent the views of the majority and because of his belief that this letter directly resulted in the bill's defeat in the Legislature. After the resignation, other members of the Passamaquoddy Tribe left the meeting, although they were not members of the Commission itself. These events led to a general discussion of the future, if any, of the Commission.

At its next regularly scheduled meeting, on June 12, the Commission brainstormed on how to move forward. The members decided to catalog the opposing State and Tribal views on such issues as sovereignty and jurisdiction in order to see if they could establish some common ground. The Passamaquoddy Tribe appointed Governor Rick Doyle to replace Eric Altvater.



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, Medicaid, Job Service, Social Security, Training and Development Corporation, the Summer Youth Program, and a food pantry.

Check the Rakers' Center notice for specific times. The Rakers' Center is open Monday to Friday, July 26-August 23. The Center's number is 483-6031.

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.



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 Attorney: Craig Sanborn, Esq.

Editor: Cushing Pagon Samp

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.



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>

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>

Native American Internet Resources:

<http://my.athenet.net/~ahuntley/nativeam.html>

Dusters Native American:

<http://www.specent.com/~duster/vole2.html>

