

# Wabanaki Legal News

Volume 5 Issue 1

A Newsletter of Pine Tree Legal Assistance

Winter 2001




## Mike Guare and Danny Mills Join Pine Tree's Native American Unit

The Pine Tree Legal Assistance Native American Unit welcomed two new faces to its staff this past fall. Danny Mills joined the Unit as a half-time paralegal. Mike Guare, an attorney, devotes 60% of his time to the Unit, except during the harvest months when he is assigned full-time to the Farmworker Unit.

Danny has worked at Pine Tree in the Farmworker Unit since the summer of 1999. He has already handled some cases for the Native American Unit and is looking forward to doing more outreach work. He enjoys meeting and helping people.

Danny was born in Corona California. His father served in the Navy, so Danny moved a lot as a child. Most of his childhood was spent in California and Illinois. Danny's grandparents are from Mexico--his grandmother is a Mexican Indian--so Danny developed a major interest in learning Spanish

 Danny graduated from Pensacola Junior College in Florida. Since then, his work experience has been varied. Danny studied welding shortly after graduating from college. He received his 50-ton operators license from the Coast Guard and then spent some time working charter boats in Maine and Mexico. He has studied diamond grading with the Gemological Institute of America, and worked for some

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## Free Legal Help with Tax Problems

Pine Tree Legal Assistance has been awarded a grant, effective immediately, to help low-income taxpayers in any controversy with the IRS, including audits. In addition, clinics are being planned to help low-income taxpayers prepare their taxes. For more information, call Paul Harrison at 1-800-879-7463.

## 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 Craig Sanborn or Mike Guare or paralegal Danny Mills at 1-800-879-7463.

### Case One: Child Custody and Tribal Court Jurisdiction

The client is a Penobscot tribal member living on the

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## Native American Legal Briefs

--Discrimination--

--Tribal Sovereignty and Water Rights--

### Maine Human Rights Commission Finds Reasonable Grounds to Believe Discrimination Occurred Against Native American Child; Pine Tree Attorney Files Suit on Her Behalf in Superior Court

On December 5, 2000, Pine Tree Legal Assistance Native American Unit attorney Craig Sanborn filed a complaint in Superior Court on behalf of Diane Clement, a Shead high school student and member of the Passamaquoddy Tribe. The complaint was filed against the Town of Perry and School Union 104. The complaint states that a school bus driver discriminated against Ms. Clement. The complaint asks the Superior Court to take the following actions: to declare that the bus driver violated the Maine Human Rights Act; to prevent the defendants from discriminating against anyone because of his or her race; to award civil penalties to Ms. Clement; and to grant any other relief that the Court finds appropriate.

This suit follows an August ruling by the Maine Human Rights Commission. In its findings, the Commission found reasonable grounds to believe that the bus driver had discriminated against the student. The Commission adopted the Report of its investigator and found that Ms. Clement was made to come to the front of the bus, along with other Passamaquoddy children, and was addressed in a discriminatory manner by the bus driver.

The Investigator found that there had been a gum-throwing incident on the school bus, but that Ms. Clement was not the gum thrower. Nevertheless, Ms. Clement was required to come to the front of the bus. She and other Passamaquoddy students were referred to as the "Pleasant Point people," "you people," and "drones."

The investigator found that:

It is true that bus drivers discipline children by making them sit in the front of the bus. That may, in fact have happened to White children on [this] bus. The difference is that there has been no evidence presented that all the white children on the bus were made to move up front when one or

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("Legal Briefs" continued from front page)

two white children misbehaved so that they could then be subjected to a verbal dressing down with reference to their race. There is no mistaking that "you Pleasant Point people" refers to Native Americans.

The defendants did not appear before the Commission and did not file any written rebuttal to the investigator's report.



Craig Sanborn appeared before the Commission. Pine Tree has now arranged for attorneys Ivy Frignoca and Sam Rudman, of the Portland law firm Lambert, Coffin, Rudman and Hochman to handle this case from this point on

### **Federal Court Refuses to Grant Injunction in Water Rights Case; Tribal Leaders Found in Contempt of State Court, File Appeal**

In 1999, the State of Maine asked the Federal Environmental Protection Agency to allow the State to administer the Federal Clean Water Act. Maine is one of the few states that have not had authority to administer the Act. The State's request has been strongly opposed by the Tribes in the State, especially the Penobscot Nation and the Passamaquoddy Tribe.

In mid-January, after postponing a decision on this issue a number of times, the EPA confirmed that it had officially accepted Maine's proposal to issue federal wastewater discharge permits for most of the State. The agency did not decide, however, whether the State could issue permits in "Indian country." Before deciding that issue, the EPA has asked the U.S. Department of Justice to review the matter. The EPA had already asked the U.S. Department of the Interior to look into this question. The Interior Department had recommended that the EPA keep its authority to issue permits in Indian country. The EPA's decision will be published in the Federal Register before mid-February.

#### **Federal Jurisdiction:**

As part of this dispute, three paper companies, Georgia-Pacific, Great Northern Paper and Champion International, asked the Penobscot Nation and the Passamaquoddy Tribe to turn over certain tribal papers regarding water regulation. This request was made under the Maine Freedom of Access Act. Both Tribes refused to give the papers to the companies. The paper companies then threatened to sue the Tribes in state court.



Before the suit was filed, however, the Tribes went to Federal District Court in Maine to ask for a ruling that would prevent the paper companies from going to state court. The paper companies then asked the federal court to dismiss the Tribes' complaint. In July, the District Court judge ruled against the Tribes. The Court found that there was no federal jurisdiction. Therefore, the

Court could not continue to hear the case. The decision was a technical one, based on principles of federal jurisdiction. The judge did not decide whether the Tribes were required to turn over any papers.

In reaching his decision, District Court Judge D. Brock Hornby found that the Tribes could file a case in federal court *only* if they could show that their case was an action "arising under the Constitution, laws or treaties of the United States." This is called the "well pleaded complaint" rule. The Tribes had argued that the Maine Freedom of Access Act violated their federal right to be free of such state regulation. They based their argument in part on the Maine Indian Claims Settlement Act of 1980. Since the Tribes were relying on federal law, they claimed that their lawsuit did, in fact, arise out of the laws of the United States.

Judge Hornby noted that the United States Supreme Court has interpreted this "arising under" language very narrowly. In Judge Hornby's view, this case actually arose under the Maine Freedom of Access law. While federal law might, in fact, require that the state law not be applied in this case, the federal law issues were only a defense to the state law claim. They were not a claim "arising under" federal law.

The Tribes also argued that there was federal jurisdiction because their case was a civil action brought by an Indian Tribe and that their action arose under the Constitution, laws, or treaties of the United States. Judge Hornby decided that the same rules of jurisdiction would apply to cases brought by Indian Tribes. He dismissed the case. His decision has been appealed to the First Circuit Court of Appeals.



#### **Freedom of Access Law:**

In another related action, this time in state court, the three paper companies asked Superior Court Judge Robert Crowley to require the Tribes to turn over any Tribal papers relating to water quality. The paper companies argued that they were allowed to see the papers under the Maine Freedom of Access law. They argued that the Tribes were similar to a municipality and that, therefore, the Freedom of Access law applied to the Tribes. The Tribes opposed the paper companies. However, Judge Crowley ruled that the Tribes were required to turn over the papers. When the Tribes refused to do so, he ordered that the two Passamaquoddy Tribal Governors and the Penobscot Indian Governor be jailed for contempt of court. The sentence was delayed to allow the Governors to appeal the ruling to the Maine Supreme Court. That appeal was filed.

In reaching his decision, Judge Crowley addressed the question whether these papers should be considered to be "internal tribal matters" under the terms of the Maine Indian Land Claims Settlement Act of 1980. The language of that Act states that "internal Tribal Matters" cannot be regulated by the State. Judge Crowley found that regulation of water resources was not



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("Legal Briefs" continued from page 2)

an internal tribal matter because water regulation affected both tribal members and non-tribal members, affected both tribal territory and non-tribal land, and directly affected an interest of the State of Maine.

Following Judge Crowley's decision to send the Governors to jail, the National Congress of American Indians passed a resolution strongly supporting the two Maine Tribes. The NCAI is the largest Tribal organization in the country.

### **Aroostook Band of Micmacs Challenges Maine's Request for EPA Authority Over Water Permits, Claiming that the Micmac Settlement Act is Null and Void**

The Aroostook Band of Micmacs and the Houlton Band of Maliseets have also opposed the request by the State of Maine for permitting authority from the EPA. Among the issues raised by the Tribes, is the question whether the State has any authority or jurisdiction at all over the lands or members of the Micmacs.

In Public Comments filed by the Tribes last summer with the EPA, the Micmacs have argued that the Maine law implementing the Micmac Settlement Act never took effect. Under the terms of the Maine law, the legislation would take effect if the Tribe submitted a certification of its agreement to the Secretary of State. A search of the Secretary of State's Office, as well as a search of the legal files by the attorneys involved in negotiating the settlement agreement, has not turned up any evidence that any certification was ever made. Without this certification, the Micmacs argue, the Maine law never went into effect. Therefore, they claim, the State of Maine has no jurisdiction over the Tribe and cannot regulate wastewater discharges on land that belongs to the Tribe.

While the United States Congress approved the Settlement Act, the Micmacs argue that Congress merely approved the agreement between the Tribe and the State. Congress did not adopt the State legislation as its own. Therefore, the Micmacs argue, even federal approval of the Settlement does not mean that the Maine law ever took effect.

The Micmacs' argument has not been ruled upon by any court of law.



("Mike and Danny" continued from front page)

jewelry stores. Before joining Pine Tree, Danny worked for himself doing masonry and dry wall contracting. Danny's interest in Spanish led him to Pine Tree where he was hired to work for the Farmworker Unit.

In his spare time, Danny enjoys learning about foreign cultures. Along those lines, Danny plays clarinet in a Yiddish band. This has allowed him to travel with the band. He has performed in Lithuania through Project Troubadour, a non-



### **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.

profit group that promotes cultural exchanges, and in Germany, where his band performed at a Jewish folk festival.



Mike Guare also joined Pine Tree because of his interest in farmworker issues and the Spanish language. Mike grew up in Portland (although he was born in Vermont). He graduated from Cheverus High School and went on to the University of Southern Maine and Northeastern Law School. Mike and his wife Susan, left New England for Florida from 1983-98, and are now happy to be back in Maine and living in Bangor.

Before starting law school, Mike volunteered for the United Farmworkers Union. While serving as a volunteer, he was sent to California to work on the lettuce boycott. He learned Spanish in classes provided by the Union, which included several weeks living in Mexico to immerse himself in the language. His work at the Union inspired him to go to law school.

While in Florida, Mike worked for Florida Rural Legal Services where he specialized in immigration issues. Many of his clients were Mayans from Guatemala who had moved to the US to escape persecution in Guatemala. Mike did a lot of work on asylum issues. He also developed some understanding of what it is like to be part of a persecuted indigenous population.



At Pine Tree, Mike, like Danny, is looking forward to doing more outreach. Mike has successfully handled a number of individual cases so far.

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Penobscot Reservation with her child. She asked Craig to help her with a child custody issue. Craig asked the Penobscot Tribal Court to take jurisdiction in order to modify a child custody order entered by the Maine District Court. The other party, the defendant, asked the Tribal Court to dismiss the client's motion.

The defendant argued that the Tribal Court did not have jurisdiction over this case under the terms of the Maine Indian Claims Settlement Act of 1980 because the defendant was not a member of the Penobscot or Passamaquoddy Tribes and because he did not live on the Reservation. The Settlement Act states that the Penobscot Tribal Court has exclusive jurisdiction to hear family law matters between members of the Penobscot or Passamaquoddy Tribes when both parties live on the Reservation, or to the extent allowed by federal law.

Craig argued that the federal Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) that was recently adopted by the State of Maine had the effect of expanding the Tribal Court's jurisdiction in child custody and other family law-related matters. Under the UCCJEA, if a child lives on the reservation with only one parent for at least six months, then the Tribal Court has jurisdiction to hear a child custody matter. This is true even if the other parent is not a member of either Tribe or does not live on the reservation.

The Tribal Court agreed with Craig's argument about the UCCJEA, and found that it had jurisdiction over this case. The Court also looked at federal Indian case law and found that it had jurisdiction under that law as well. In a 1981 case, *Montana v. United States*, the Supreme Court of the United States recognized that Indian Tribes kept their inherent sovereign power to exercise some forms of civil jurisdiction over non-Indians on their reservations when the conduct of the non-Indian threatens the health or welfare of the Tribe.

Relying on the *Montana* case, the Penobscot Tribal Court decided that it had the power to exercise jurisdiction over child custody matters, even though the Maine State Courts had jurisdiction too. This is called "concurrent jurisdiction."

The Tribal Court dismissed the Defendant's Motion to Dismiss and then took steps to assume jurisdiction in this case.



### Case Two: SSI Overpayment

The client was a young Maliseet mother with one child. The Social Security Administration told her that she had been overpaid by two and one-half thousand dollars and that she now needed to pay that amount back.

After investigating the case, Craig learned that two years earlier Social Security had told the client that she would start to get benefits on behalf of her child because the father had been found to be disabled. The client was



PINE TREE  
LEGAL  
ASSISTANCE  
OFFICE HOURS



✱ Tribal Court/Administration  
★ Pine Tree Legal Assistance

### 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 8:00-12:00  
& 1:00-3:00

145 Lisbon St., 7th Floor  
Lewiston, ME  
Phone Intake: 784-1558  
Hours: M & F 9:00-4:00

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

373 Main St., Presque Isle, ME  
Phone Intake: 764-4349  
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

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

separated from the father at the time. In fact, the father later returned to the workplace, in spite of his alleged disability. The client told the workers at Social Security what had happened. Social Security took no immediate action to adjust the client's benefits after she had contacted them.

Craig argued successfully to Social Security that his client had gone out of her way to tell them about her changed circumstances and that she should not be punished for the father's faults. Social Security agreed that the client did not have to repay the overpayment.

### Case Three: Consumer Law

The client was a Canadian Native American in Maine to work on the blueberry harvest. While in Maine, he dropped off his car for repairs at a service station with the understanding that he would return in two months to pick the car up. At the time, he left a security deposit to be applied to the agreed price of the repairs. When the client returned to pick up the car, he was told that the car was not ready and that price for the repairs was, in fact, higher than the original price. The client insisted that the original agreement be honored. He told the station owner that he would return later to pick up the car and that he would pay the balance owed under the original agreement. When he returned, he was told that the car was no longer there and that he would not get his deposit back. (Continued on page 5)



("Summaries" continued from page 4)

Before pressing criminal charges, the client called Craig to help negotiate a civil remedy. Craig was able to negotiate an acceptable payment from the station owner to the client. The client did not give up any of his rights to look for other remedies.



## Important Tax Information



### Claim your Earned Income Credit



If you worked in 2000, you may be eligible for the Earned Income Credit. If so, you'll owe less in taxes, and you could get cash back. Even if you don't owe income tax, you can get the EIC.

- \*\* If you raised one child in your home in 2000 and your family earned less than \$27,413, you can get up to \$2,353.
- \*\* If you raised more than one child in your home in 2000 and your family earned less than \$31,152, you can get up to \$3,888.
- \*\* If you weren't raising a child, earned less than \$10,380 in 2000, and were between ages 25 and 64, you can get up to \$353.
- \*\* If you were raising children in 2000, file federal tax return Forms 1040 or 1040A, **not** Form 1040EZ. **Be sure to attach Schedule EIC.**
- \*\* If you weren't raising children in 2000, file the return you would normally file. Be sure to write "EIC" or the dollar amount of your credit on the Earned Income Credit line of your tax form.



### Questions & Answers About the EIC:



#### What if I don't know how to file a tax return?

To get free help filing your tax return and for more information about the Earned Income Credit, call the IRS at 1-800-829-1040.

#### What if I haven't filed a tax return in a long while?

You can still get the EIC. If you were eligible, you can claim the EIC for three years back. Call the IRS to find out how. If you owe back taxes, the EIC may lower your tax bill. You may also be able to work out a payment agreement.

#### Can I get a quick refund with my Earned Income Credit?

Yes. But it may not be your best choice. Quick refunds take away money from your EIC. Remember, free tax help is available.

#### What if I'm not a U.S. citizen?

Many legal immigrants who are employed are eligible for the EIC. Getting the credit will not hurt your immigration status. If you are a Canadian-born Native American, you

may be eligible.

#### I work and get public Assistance benefits. If I get the EIC, will I lose my other benefits?

In most cases, no. The EIC does not affect federal benefits like TANF, Food Stamps, SSI, Medicaid or housing.



### Get FREE Help Filing Your Taxes!

VITA, a program of the IRS, helps people fill out their tax forms for **free**. VITA sites are open from late January through April 15. To find the VITA site near you, call **1-800-829-1040**. Be patient -- the line is often busy. **Remember: paying for tax preparation takes money away from YOUR refund.**

### Avoid Refund Delays!

Be sure to provide the correct name and Social Security number for each person listed on your tax return.



### Increase Your Take-Home Pay With The EIC Advance Payment Option

Most workers get their EIC in one large check from the IRS after they file a tax return. You have another choice. Your employer can add part of your EIC to every paycheck. You get the rest of your credit after you file your return.

In order to qualify for this program, you must be a worker with at least one "qualifying child" and you must expect your 2001 income to be less than \$28,245. A "qualifying child" includes sons, daughters, stepchildren, grandchildren and adopted children who lived with you for more than half the year. It can also mean nieces, nephews, children of a friend, or foster children who lived with you all year and were cared for as members of the family. Qualifying children must be under age 19, or under age 24 if they are full-time students. Totally and permanently disabled children of any age are considered qualifying children.

If you are not raising a child in your home, you are not eligible for advance payments. You are not eligible if you are a farmworker who gets paid day to day; if you have no Social Security and Medicare taxes withheld from your pay; or if you are a self-employed worker who cannot advance your EIC to yourself.

In order to get the advance payment, just fill out a **W-5 form** called the "Earned Income Credit Advance Payment Certificate" and give the bottom part to your employer. You should be able to get the form from your employer. You can file a W-5 any time during the year, but you must file a new W-5 at the beginning of every

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("Tax Information" continued from page 5)  
year in order to continue getting advance payments.

It is recommended that you *not* ask for advance payment if you hold more than one job; if you expect to get married during the year; if you expect your income to increase a lot during the year; or if you have a spouse who also works, unless you both take advance payments. If something happens during the year that would change the amount of the EIC you should be getting, such as getting married or a big raise, you can ask your employer to stop putting advance payments in your paycheck. Just fill out another W-5 form and give it to your employer.

*If you get advance payments during the year*, you must file a tax return at the end of the year *and* include the total amount you received as an advance payment



### The Child and Dependent Care Credit

You may also qualify for another federal tax credit. The Child and Dependent Care Credit is a tax benefit that helps you pay for child care you need in order to work or look for work. The credit is also open to you if you must pay for the care of a spouse or an adult dependent who cannot care for him or herself.

You can claim this credit as well as the EIC. You should know, however, that if you earn too little to pay federal income tax, you *cannot* get this credit. This is different from the EIC. You can claim the EIC even if you are earning too little to pay income tax.

You can claim this credit if



- ✧ You paid for care in 2000 for a child under age 13 or for a disabled adult who lived with your family, **and**
- ✧ You needed the child or dependent care in order to work or look for work (In a two-parent family, both spouses must have needed care available in order to work or look for work, unless one spouse was a full-time student or unable to care for him or herself), **and**
- ✧ You paid over half the cost of keeping up your home (such as rent, food, etc), **and**
- ✧ You paid less for your dependent care than your 2000 income. If you are married and filing jointly, the income of the spouse with the lowest income must be more than the amount you paid for care. There are special rules for figuring the income of a spouse who was a full-time student or disabled.

If you are a worker with one or two children, the Credit amount equals the amount of your total federal income tax for the year, up to a maximum of \$500/child. If you have three or more children, and you are claiming the Earned Income Credit, you may be eligible for an "Additional Child Tax Credit. Just complete IRS form 8812 to find out if you are eligible.

In order to claim the credit, you must file Form 1040 or 1040A. Specific instructions on this Credit are included



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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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with the forms. If you need help, contact the VITA site nearest you. You may get free information about this Credit, or any other tax matter, by calling 1-800-TAX-1040.

### Child Tax Credit Benefits Many Workers Receiving the EIC



The Child Tax Credit was expanded in 1999 and is now worth up to \$500 per dependent child under age 17. This credit is different than the Child and Dependent Care Credit that helps workers who need day care in order to work.

Generally, the Child Tax Credit is equal to the amount of your income tax for the year *up to a maximum* of \$500 per dependent child. This credit does not affect your ability to take the EIC and will not reduce any benefits you can get from the EIC.

If you have three or more children and if you are claiming the EIC, you *must fill out IRS form 8812* to see if you are eligible for an extra Child Tax Credit amount. This form must be attached to your tax return. You can get free copies of the form by calling the IRS at 1-800-TAX-Form.



("Mike and Danny" continued from page 3)

In his spare time, Mike loves to hike with his wife and their four daughters, Jennifer (15), Katie (11), Annie (6), and Emily (4). He is also a star softball player on the recently formed Pine Tree team.



### 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).





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
◆ Child Abuse/Neglect	1-800-452-1999
◆ Adult Abuse/Neglect	1-800-624-8404
◆ 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
◆ Infoline Emergency Social Services Referral:	1-800-204-2803
◆ Mental Health:	1-888-568-1112
◆ Poison Control Center:	1-800-442-6305
◆ Rape Crisis:	1-800-310-0000
◆ Youth Crisis Stabilization:	1-800-499-9130



### HOME HEATING ASSISTANCE

The Federal Fuel Assistance Program administered by the Maine State Housing Authority gives fuel assistance money to states to distribute to residents who need help with fuel bills. To find out if you qualify, call your nearest Community Action Agency or the Maine State Housing Authority (1-800-452-4668).

The following Community Action Programs offer emergency fuel assistance (HEAP) in your area:

Aroostook County	768-3053 or 1-800-585-3053
Washington/Hancock Counties	1-800-828-7544
Penquis/Bangor	973-3630

If you can't pay your heating bill, check to see if you can get onto a payment plan. Your electric utility offers special payment plans for low income customers during the winter.



### 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/>



#### 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.mainelse.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



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

Telephone: 207-287-2145



#### 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 (Bangor Mental Health Institute): 207-941-4180

(Region 3, including Penobscot, Washington, and Aroostook Counties):

207-941-4360



#### SOCIAL SECURITY

1-800-772-1213

Bangor Area

990-4530

Presque Isle Area

764-3771



#### DISCRIMINATION:

Housing Discrimination

1-800-827-5005

Human Rights Commission

624-6050

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

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: Maine Attorney General, Public Protection Division, Consumer Mediation, 6 State House Station, Augusta, ME 04333.

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://janus.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 255-3428 or 1-800-292-8929

Presque Isle 760-6300 or 1-800-635-0357

State Bureau of Labor (wage or child labor complaints) 624-6410

website: <http://janus.state.me.us/labor/>

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

Website: <http://www.state.me.us/pfr/ins/info.htm>

**✧ 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**

771 Main St.

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) 827-5639

Clerk of Courts (Clara E. Mitchell) 827-5639

Tribal Prosecutor 827-5639

Juvenile Intake 827-5639

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) 796-5600 or 7929

Juvenile Intake/Prob'n Off'r (John Dana) 796-5600

**◆ Pleasant Point Division:**

Clerk of Courts/Administrator (Dorothy Barnes) 853-2600

Juvenile Intake/Prob'n 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

**HELPFUL NATIVE AMERICAN WEB SITES**

Wabanaki Confederacy:

<http://communities.msn.com/WabanakiConfederacy>

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/nativel/>

Native Sense:

<http://www.nativesense.com/>

Aboriginal Links:

<http://www.bloorstreet.com/300block/aborcan.htm>

Dusters Native American:

<http://www.specent.com/~duster/volc2.html>