

February 8, 2022

RE: L.D. 1924, An Act To Expand Access to Justice in Rural Maine through Legal Education

Chairman Rafferty, Chairman Brennan, and Distinguished Members of the Joint Standing Committee on Education and Cultural Affairs:

My name is Taylor Asen. I am a trial attorney at Gideon Asen LLC and an Adjunct Professor at the University of Maine Law School. I am here, however, in my capacity as a member of the Maine Trial Lawyers Association, an organization committed to expanding access to civil justice throughout our great State, to express our strong support for L.D. 1924, which would fund, as a pilot project, a satellite office of Maine Law School’s legal aid clinic in Aroostook County.

I have enough self-awareness to understand that, to many, the words “United States” and “too few lawyers” don’t seem to belong together in the same sentence. And it’s true that our nation has quite a few lawyers: approximately one for every 240 people. However, a closer look reveals two starkly different trends: a growing number of lawyers in highly populated areas on the one hand, and a shrinking number of lawyers in rural areas on the other.

This phenomenon is apparent throughout the United States, and Maine is certainly no exception. Cumberland County has approximately 1 lawyer for every 140 people, a rate more than 70 percent higher than the national average. By contrast, our most rural county, Piscataquis, has one lawyer for every 2,400 people, one tenth the national average. Other rural counties in Maine, such as Aroostook, do not fare much better.

The consequences of our state’s “rural legal deserts” are wide-ranging. On the civil side, lawyers play a critical role in ensuring that poor and working-class people are treated fairly by governmental and private actors who wield an enormous amount of power over their lives. Among other things, civil attorneys dispute benefit denials or reductions, fight wage theft, take on predatory lenders, address education and employment barriers, and fight evictions. Moreover, as one recent article noted, lack of access to the civil justice system can have a profound impact on public health. This is not surprising, as the civil legal needs of Rural Americans are “social and structural determinants of health.” [Michele Statz, PhD, and Paula Termuhlen, MD, *Rural Legal Deserts Are a Critical Health Determinant*, 110 Am. J. Pub. Health 1519 \(2020\) at 1520.](#)

Obviously, a satellite clinic in rural Maine is not going to eradicate this problem on its own. But it is exactly the right step for our State to be taking in trying to put a dent in this problem.

The benefits of such a clinic would be twofold. First, the clinic would provide immediate legal assistance to people in need. Law clinics provide critical legal services to communities in need throughout the country. Moreover, there is evidence that, when properly supervised, law students in legal clinics provide effective representation to their clients. For example, one study co-authored by my former clinic professor, Jeff Selbin, looked at outcomes in cases where clients represented themselves, were represented by lawyers, and were represented by law students. [Colleen F. Shannahan et al., *Measuring Law School Clinics*, 92 *Tulane L. Rev.* 547 \(2018\)](#). They found, not surprisingly, that people who represented themselves had significantly worse outcomes than people who were represented by counsel. *Id.* at 577. They also found, however, that clients represented by attorneys and clients represented by law students had similar case outcomes. *Id.*

In the long term, such a clinic would provide an arguably even greater benefit: an opportunity to inspire young and idealistic law students to become to devote their careers to providing legal services in rural communities. Law school clinics are law students' first introduction to lawyering, and I can tell you from experience that they can have a tremendous impact on the direction that young lawyers choose to take in their careers. In law school, I was in a veteran's legal service clinic. Although I do not specialize today in veterans work, the clinic made an indelible impact on me. More than anything else, it is the reason I chose to devote my career to representing injured people in the civil justice system. Over a decade after my clinical experience, I continue to monitor that clinics work, and to cheer its victories from the sidelines.

I am happy to answer any questions you may have.

Taylor A. Asen, Esq.
tasen@gideonasen.com
www.gideonasen.com