

**MAINE COMMISSION ON
PUBLIC DEFENSE SERVICES**

June 11, 2024

**Commissioner's
Meeting Packet**

MAINE COMMISSION ON PUBLIC DEFENSE SERVICES

JUNE 11, 2024 MEETING AGENDA

- 1) Public Hearing – Chapter 5
- 2) Approval of the May 14, 2024 Commission Meeting Minutes
- 3) Executive session pursuant to 1 MRS § 405(6)(E) to discuss pending or contemplated litigation
- 4) Report of the Executive Director
 - a. Operations report
 - b. Public Defender staffing and office report
 - c. Case staffing status report
 - d. Training registration fee for non-eligible attorneys
- 5) Rulemaking discussion – Chapters 4, 301, 301-A, and 302
- 6) Set Date, Time and Location of Next Regular Meeting of the Commission
- 7) Public Comment

Chapter 5: CO-COUNSEL REQUIREMENTS.

Summary: This Chapter establishes a process for requesting Co-counsel, expectations of Co-counsel, parameters for payment of Co-counsel, and guidelines for the delegation of tasks in assigned cases.

SECTION 1. DEFINITIONS.

1. Executive Director. “Executive Director” means the Executive Director of the Maine Commission on Public Defense Services (PDS) or the Executive Director’s decision-making designee.
2. Court-Assigned Counsel. “Court-Assigned Counsel” means private counsel licensed to practice law in Maine, designated eligible to receive an assignment to a particular case, and initially assigned by a Court to represent a particular client in a particular matter. For the purposes of this rule, “Court-Assigned Counsel” does not include any employee of PDS.
3. Commission-Assigned Counsel. “Commission-Assigned Counsel” means private counsel licensed to practice in Maine, designated eligible to be assigned to provide a particular service or to represent a particular client in a particular matter, and assigned by PDS to provide that service or represent a client. For the purposes of this rule, “Commission-Assigned Counsel” does not include any employee of PDS.
4. Counsel. “Counsel” means a Court-Assigned Counsel or Commission-Assigned Counsel, or both. For purposes of this rule, “Counsel” does not include any employee of PDS.
5. Co-counsel. “Co-counsel” means an attorney who works with another attorney on a particular case. Both attorneys must be counsel of record, professionally responsible for the case, and actively participate in the representation of the client.
6. Contested Hearing. “Contested Hearing” means a hearing at which a contested issue is submitted to the court for resolution after evidence is taken or witnesses are presented.
7. Eligible. “Eligible” means the status assigned to an attorney who has satisfied all the requirements of Chapter 2, has satisfied all requirements of Chapter 3 for any applicable Specialized Panels, has applied and been approved by the Commission to receive assignments of the applicable case type, is current on their annual renewal, and is not under suspension by the Commission.
8. Substantive Meeting. “Substantive Meeting” means phone calls, emails, face-to-face

meetings, and the like, with clients about matters which materially affect the disposition of the case.

9. Substantive Appearance. "Substantive Appearance" includes, without limitation: bail hearings, contested motions hearings, dispositional conferences at which material discussions about the case occur, adjudicatory hearings, jury selection, trial, contested sentencing hearing, commitment hearings, appellate oral argument, hearings on preliminary protective orders, jeopardy hearings, judicial reviews, entry of a plea agreement, and hearings on petitions for termination of parental rights.
10. Informed Consent. "Informed consent" means a person's agreement to a proposed course of conduct after the lawyer has communicated adequate information and explanation about the material risks of and reasonably available alternatives to the proposed course of conduct. Whether a client has given informed consent to representation shall be determined in light of the mental capacity of the client to give consent, the explanation of the advantages and risks involved provided by the lawyer seeking consent, the circumstances under which the explanation was provided and the consent obtained, the experience of the client in legal matters generally, and any other circumstances bearing on whether the client has made a reasoned and deliberate choice.

SECTION 2. PROCEDURE FOR REQUESTING CO-COUNSEL.

The procedure for requesting Co-counsel is as follows:

1. Prior to seeking appointment of Co-counsel from a court, Counsel must first obtain written authorization from the Executive Director. An attorney seeking such authorization shall submit a written request in a form designated by the Executive Director. The request must include:
 - A. The name of the client;
 - B. The type of case. If it is a criminal matter, the charge(s);
 - C. The docket number(s);
 - D. The reason Co-counsel is requested;
 - E. Whether there is already Co-counsel assigned to represent the client in the matter; and
 - F. The name of the prospective Co-counsel.
2. If the Executive Director authorizes Co-counsel, the assigned attorney must file with the applicable court a motion for appointment of Co-counsel. That motion must state that PDS has authorized the request for Co-counsel.
3. Counsel may only seek appointment of Co-counsel who is Eligible to receive PDS case assignments, but only one of the attorneys needs to have Chapter 3 eligibility for any

Specialized Panel.

SECTION 3. PARAMETERS FOR CO-COUNSEL REQUESTS.

1. The Executive Director has broad discretion in determining whether a Co-counsel request will be granted, but requests will be granted liberally.
2. Co-counsel requests will be reviewed from a client-centric perspective.
3. Absent extraordinary circumstances, the Executive Director will not authorize more than two attorneys to serve as Co-counsel for a particular client in a particular matter.
4. If Counsel does not obtain written authorization for Co-counsel from the Executive Director prior to seeking appointment of Co-counsel, then the Co-counsel will not be paid for any work on the case.
5. Co-counsel does not need to be requested for Co-counsel's work to be compensable if:
 - A. The attorney assigned and co-counsel work in the same law firm;
 - B. Co-counsel is Eligible;
 - C. The attorney who was not assigned to the case will not be appearing in court on behalf of the client, engaging in negotiations related to the case, or having Substantive Meetings with the client; and
 - D. The attorney(s) who was/were not assigned to represent the client will be spending no more than a combined total of three hours of work on the client's matter(s) unless Counsel receives prior written authorization from the Executive Director.

SECTION 4. EXPECTATIONS OF CO-COUNSEL.

1. When Co-counsel is assigned:
 - A. Each Co-counsel must enter a case for that client in the PDS electronic case management system.
 - B. Time entries for each Co-counsel must be maintained in their own case entries for that client in the PDS electronic case management system.
 - C. Each Co-counsel must be actively engaged in the representation of the client.
 - D. At least one Eligible Co-counsel must be present for all Substantive Meetings.
 - E. At least one Eligible Co-counsel must be present for every Substantive Appearance.
 - F. Counsel must avoid unnecessary duplication of effort.

SECTION 5. VERTICAL REPRESENTATION.

1. Counsel may delegate tasks related to the representation of an assigned client to another Eligible attorney only to the extent consistent with the assigned attorney's duties to the client under the Constitutions of the United States and the State of Maine, the Maine Rules of Professional Responsibility, applicable PDS rules, and to the extent consistent with this Chapter. The assigned attorney is nevertheless responsible to PDS and to the client individually for all services provided by any attorney during the period of the assignment.
2. The following tasks may not be delegated: hearings on dispositive motions; jury selection; trials; sentencing hearings; summary preliminary hearings; jeopardy hearings; contested judicial reviews; hearings on petitions for termination of parental rights; appellate oral arguments; or plea agreements, unless all the terms have been fully negotiated, reviewed with the client by the attorney assigned to represent them, and agreed to by the client.
3. Delegation of any task may only occur subject to the following:
 - A. Questions related to the delegation of any task must be resolved from a client-centric perspective.
 - B. Delegation shall be an exception to the expectation that Counsel will personally provide continuous representation of assigned clients.
 - C. Delegation of any task may be made only to Eligible attorneys.
 - D. Delegation of any task may be made only with informed client consent.
4. If an attorney cannot appear to represent a client at an appearance for which delegation is prohibited, Counsel may, with informed client consent, seek the assignment of Co-counsel in the matter. Where appropriate and permitted by rule, the appearance of Co-counsel may be limited.
5. In the context of delegation of an appearance for an assigned client, informed client consent shall include informed consent from the client to reveal those confidences and secrets as are necessary to the delegated representation.
 - A. "Confidence" refers to information protected by the attorney-client privilege under applicable law, and "secret" refers to other information relating to the representation if there is a reasonable prospect that revealing the information will adversely affect a material interest of the client or if the client has instructed the lawyer not to reveal such information.
 - B. Counsel shall document the client's informed consent prior to delegating an appearance. Where possible that informed consent shall be in writing and signed by the client. Counsel shall maintain documentation of consent and shall provide it to PDS on request.

6. If a task is delegated pursuant to this Chapter, the attorney to whom the task was delegated must enter a case in the PDS electronic case management system and bill their time under that case entry. Case entry, closure, and billing must be conducted in accordance with the applicable PDS rules.

SECTION 6. NON-COMPENSABLE TASKS.

The following tasks are non-compensable:

Supervision of any kind whether over Co-counsel or over the file generally, this includes but is not limited to an attorney's obligations pursuant to Maine Rule of Professional Conduct 5.1. However, this does not preclude compensation for time spent mentoring a less experienced attorney if that is the purpose of the Co-counsel request.

DRAFT

**Maine Commission on Public Defense Services – Commissioners Meeting
May 14, 2024
Meeting Minutes**

Commissioners Present: Donald Alexander, Meegan Burbank, Michael Carey, Roger Katz, David Soucy, Randall Bates, Joshua Tardy.

PDS Staff Present: Jim Billings and Ellie Maciag.

Agenda Item	Discussion/Outcome
Public Hearings	<p>Chair Tardy announced that the deadline for written comment for each of these rules is 5:00PM on May 25, 2024. Written comments may be submitted to jim.billings@maine.gov.</p> <p><u>Chapter 4:</u> Executive Director Billings summarized the proposed changes to Chapter 4: Chapter 4 is an existing rule, which went into effect on January 1, 2024. The proposed change adds a point value for Homicide cases, which is important because Homicides are currently being counted as Class A offenses. Class A offenses are assigned four points and the proposed rule assigns 33 points to Homicides. The other change assigns points for Specialty Court Liaisons. Finally, there is a change which clarifies that attorneys can indicate that they have a lower workload allocation percentage than they do to reduce their caseload limit.</p> <p>No comments, for, against, or neither for nor against Chapter 4.</p> <p><u>Chapter 301:</u> Executive Director Billings summarized the changes to Chapter 301: The proposal adds section 8, which makes it explicit that part or all of a voucher that could be considered in violation of the Rules of Professional Conduct can be rejected for that reason. The other changes are minor and mostly stylistic.</p> <p>No comments, for, against, or neither for nor against Chapter 301.</p>

Agenda Item	Discussion/Outcome
	<p><u>Chapter 301-A:</u> Executive Director Billings summarized the proposed changes to Chapter 301-A: There are some minor, stylistic changes. The substantive change affords more flexibility in the application of the 75% attendance rule for multiday trainings.</p> <p>No comments for or against Chapter 301-A.</p> <p>Neither for nor against Chapter 301-A: Rob Ruffner, Esq. suggested that the Commission distinguish between trainings in which the 75% attendance requirement will or will not be applied.</p> <p><u>Chapter 302:</u> Executive Director Billings summarized Chapter 302: The primary change is intended to be reflective of existing practice whereby attorneys complete Chapter 302 funds requests through a webform.</p> <p>No comments, for, against, or neither for nor against Chapter 302.</p> <p>Chair Tardy declared the public hearings for each of the rules closed.</p>
Approval of the April 10, 2024 Meeting Minutes	Commissioner Alexander moved to approve the minutes; seconded by Commissioner Carey. All voted in favor. Approved.
Executive Session	Commissioner Carey moved, pursuant to 1 M.R.S.A. § 405(6)(E), to go into executive session; seconded by Commissioner Alexander. All voted in favor. The Commission went into executive session.
Discussion about 7-Day Review Hearings	<p>Chair Tardy explained that Attorneys Rob Ruffner and Neil Prendergast asked that this issue be put on the agenda. The concern is that the presence of LODs at 7-day review hearings is being used as a basis for not finding a Sixth Amendment violation.</p> <p><u>Rob Ruffner, Esq.:</u> The 7-day reviews are for individuals who are in custody, have been found eligible for counsel, but no counsel was assigned to represent them. Pursuant to the November 3, 2023 Standing Order, these individuals are to be brought back before the court not more than 7 days after their initial appearance/arraignment. I have been serving as LOD in Aroostook and several other counties. Courts are finding that the presence of an LOD at the 7-day review is grounds for</p>

Agenda Item	Discussion/Outcome
	<p>determining that there was no Sixth Amendment violation. We have seen very little benefit to clients at the 7-day reviews. The vast majority of the time, there is no adjustment to bail. The Standing Order is applied inconsistently throughout the State. Some courts refuse to hear certain arguments. In York and Cumberland, the courts have said they will not consider any Sixth Amendment arguments at 7-day reviews. Some courts require that a written motion be filed in advance to address the Sixth Amendment issue. The 7-day reviews are causing people to feel that they do not have a choice other than to plead guilty. I maintain that LODs cannot provide meaningful representation under the Sixth Amendment at these 7-day review hearings. The State also uses the presence of LODs against clients and argues that the bail code applies as written, that there has been no change in circumstances, and the court got it right the first time, so bail should not be changed.</p> <p><u>Neil Prendergast, Esq.:</u> While I was handling 7-day reviews in Aroostook today, I made a constitutional argument for all the clients. The State argued that my presence meant there was no Sixth Amendment violation and the Court agreed. One time, the Court found a constitutional violation, but did not change bail. That client ultimately received counsel who argued the constitutional issues and the court did not order a remedy for the Sixth Amendment violation. My presence is being used by courts to either not address constitutional issues, or to find that my presence means there is no constitutional violation. In all the 7-day reviews I have done since February, the Court has found a constitutional violation twice. Once, the bail wasn't changed at all. The other time, the bail was reduced by thousands of dollars, but still took the client a long time to post the bail. This Standing Order was supposed to be a temporary solution. Courts are not taking the constitutional arguments seriously.</p> <p><u>Chair Tardy:</u> Attorney Ruffner asked Commission to consider three actions:</p> <ol style="list-style-type: none"> 1. That the Commission issue a statement that LOD presence at 7-day reviews is not sufficient to cure a Sixth Amendment violation. 2. Cease providing LODs for 7-day reviews. 3. Collaborate with stakeholders. <p>I have a problem with not providing lawyers for these 7-day reviews.</p>

Agenda Item	Discussion/Outcome
	<p data-bbox="506 235 1822 488"><u>Commissioner Alexander:</u> Asked Attorney Ruffner about the example he provided in an email about the client who was held on a shoplifting case. Attorney Ruffner confirmed that the only charge was a Class E shoplifting charge. Bail was set at \$50. It was 48 days until the client had his first 7-day review. The client was released after 48 days. Commissioner Alexander asked if this problem is specific to Aroostook with regard to their practice of holding people pre-trial to get them to plead guilty. Attorney Ruffner replied that the problems vary in how they present themselves, but the problems exist throughout the State.</p> <p data-bbox="506 527 1822 743"><u>Commissioner Katz:</u> If the Commission were to stop providing LODs for 7-day reviews, what would happen then? Then they have 7-day reviews without lawyers? Clients are not capable of making Sixth Amendment arguments themselves. Attorney Ruffner replied that since LODs are being prohibited from making the arguments often anyway, the clients are no worse off. This whole process was artificially created by the Judicial Branch, then PDS attorneys were hoisted into it and are not allowed to make arguments.</p> <p data-bbox="506 782 1822 963"><u>Chair Tardy:</u> I agree that providing LODs isn't sufficient to satisfy Sixth Amendment, but I'm not willing to stop providing LODs. I invite every member of the Maine Bar and every member of the press to get online and watch the next 7-day review. Watching this in action is astonishing. We have a problem, PDS owns it and understands we don't have enough attorneys to assign. This issue is pervasive and happens every day in all kinds of cases.</p> <p data-bbox="506 1002 1822 1218"><u>Commissioner Soucy:</u> It is hard to have the Commission speak with one voice. I agree the answer isn't to not have LODs at 7-day reviews. What is happening is deplorable. These defendants are suffering Sixth Amendment violations. The question is, what is the solution? The simple solution is a dismissal without prejudice. A dismissal without prejudice would allow the defendant to be released, the State could reinstate prosecution when the resources are available, but it would not aid and abet this unconstitutional process.</p> <p data-bbox="506 1256 1822 1399"><u>Commissioner Burbank:</u> I agree that not providing LODs for 7-day reviews is not a good idea. The job of the Commission is to provide lawyers to defendants. That is what we should be doing at every opportunity. I am grateful for the creativity of Attorney Ruffner, Attorney Prendergast, and others. Attorneys should keep putting these questions in front of judges until they answer the questions the</p>

Agenda Item	Discussion/Outcome
	<p>way you want them to. It is very concerning to leave clients to make these arguments themselves.</p> <p><u>Executive Director Billings:</u> My concern about stopping this is, what happens then? The idea of this was to prevent people from falling through the cracks. People are still falling through the cracks but doing away with 7-day reviews could cause more people to fall through the cracks.</p> <p><u>Commissioner Bates:</u> I agree with Attorneys Ruffner and Prendergast. I also agree with other Commissioners. It is unbelievable that courts are using LODs as the reason to not find a Sixth Amendment violation. At least one county is doing 7-day reviews with walk-ins, not in-custodies. If we cannot make a statement that this is a Sixth Amendment violation, we need to do something, but I do not think it involves not being there for our clients.</p> <p><u>Chair Tardy:</u> I wonder whether the Commission should retain one of our rostered attorneys to research this issue.</p> <p><u>Attorney Ruffner:</u> In Aroostook, from November 2023 to February 2024, no Sixth Amendment arguments were made. If the Commission is going to provide LODs for 7-day reviews, the Commission should designate specific attorneys to fill that role. Many LODs are not making Sixth Amendment arguments. If PDS is going to provide LODs, PDS—not courts—need to select the LODs.</p> <p><u>Attorney Prendergast:</u> I am wondering how much longer we can continue to do what we are doing and continue to be ignored. The vast majority of the arguments I make are ignored. If judges do not want to do this, they are not going to. I find it frightening that this has been going on since last November and there have only been two constitutional violations found in Aroostook.</p> <p><u>Chair Tardy:</u> the Staff will draft a statement for the Commission to consider.</p>
Report of the Executive Director	<p>Executive Director Billings provided the following report:</p> <p><u>Vouchers:</u> There was a decrease in the number of vouchers from March to April, both submitted and paid, but still significantly up from this time last year. We had about a 91% increase in the amount of vouchers year-over-year. The number of vouchers has gone up by about 65% since last year. The</p>

Agenda Item	Discussion/Outcome
	<p data-bbox="506 235 1688 267">\$150/hour rate is still being phased in and having an effect on the average price per voucher.</p> <p data-bbox="506 310 1415 342">There were approximately 100 authorizations to expend funds in April.</p> <p data-bbox="506 383 1157 415">There has been an increase in hours since last year.</p> <p data-bbox="506 456 1822 594"><u>Rosters:</u> As of May 10, 2024, there were approximately 163 attorneys on the roster. Of those, 35 were accepting child protective cases, 48 were accepting criminal cases, and 43 were only accepting LOD assignments. That is approximately 85-88% of the number of attorneys on the roster at the end of 2023, prior to the implementation of Chapter 4.</p> <p data-bbox="506 634 1822 740"><u>Pending Cases:</u> There has been a slight downtick in new cases, but there are still 77% more felonies and 40% more misdemeanors pending now than in 2019. Overall, there are about 50% more cases pending now than in 2019.</p> <p data-bbox="506 781 1822 959"><u>Public Defender Offices:</u> We have hired Toby Jandreau as the District Defender for the Caribou Public Defender Office (PDO). We have interviewed candidates for the Bangor PDO. We believe we have a candidate but are waiting on HR before that decision can be finalized. We have active job postings for ADIs and ADIIs for the Caribou office. We have had some applicants, but not a lot. We have had some applicants for the Bangor positions but have more open positions than applicants.</p> <p data-bbox="506 1000 1822 1179">We have signed a letter of intent for office space for the Bangor and Lewiston PDOs. The Lewiston office is big enough to have space for employed parents' attorneys. I recently looked at office space in Ellsworth and a letter of intent should be put together soon. We have a space we like in Caribou, but the environmental report came back with issues. Some work has been done and we are awaiting the results of the updated environmental report.</p> <p data-bbox="506 1219 1822 1325">Deputy Director Maciag is working on an FJA for the Parents' Counsel Division Chief. We have some RDU attorneys who may move to physical offices and then their RDU positions would be repurposed as parents' counsel. The two new RDU positions are for an investigator and a paralegal, not attorneys.</p>

Agenda Item	Discussion/Outcome
	<p><u>Case Staffing</u>: According to the list from the Judicial Branch yesterday, there are 66 child protective cases needing attorney and 815 criminal cases needing an attorney. Those are people who have already been screened for financial eligibility, but for whom no counsel was available to be assigned.</p>
2024-2025 Regulatory Agenda	<p>Deputy Director Maciag explained that we need a vote on the regulatory agenda. This regulatory agenda was drafted broadly to include all possible rules the Commission might consider.</p> <p>Commissioner Alexander moved to accept the regulatory agenda; seconded by Commissioner Katz. No discussion on the motion. All voted in favor. Approved.</p>
Rulemaking: Chapter 5	<p>Deputy Director Maciag explained that Chapter 5 is submitted for Commission consideration.</p> <p><u>Executive Director Billings</u>: Courts are assigning co-counsel without checking with PDS and some firms are using co-counsel a lot. We have encouraged attorneys to use co-counsel, particularly for professional development and to achieve Chapter 3 eligibility requirements. But we have limited funds and concerns about how co-counsel is being used. We are trying to balance the need to have some control over co-counsel with the Bar’s need to have some assistance.</p> <p><u>Chair Tardy</u>: Affirmed that we need control over this as the appropriators and asked Executive Director Billings whether this proposed rule has sufficient flexibility to allow attorneys to get co-counsel when they need it and work toward Chapter 3 eligibility. Executive Director Billings replied affirmatively. People need to understand that one of Executive Director Billings’ job duties is to be accountable to the Legislature. If we did not have any safeguards in place, Government Oversight and OPEGA would have an issue with that.</p> <p>Motion to approve the draft and put it out for public comment made by Commissioner Alexander; seconded by Commissioner Katz. No discussion. All voted in favor. Approved. The public hearing will be scheduled for June 11, 2024 at 1:00PM.</p>
Public Comment	<p><u>Ron Schneider, Esq.</u>: I was present at some of the 7-day reviews done by Attorneys Ruffner and Prendergast. Both of those attorneys did a great job. I do not feel it is the Commission’s job to provide lawyers who are, for all intents and purposes, superfluous in that event, and their presence is being</p>

Agenda Item	Discussion/Outcome
	<p>used against defendants. The Commission does not have an obligation to be complicit in a farcical proceeding. It would not be a bad idea for the ACLU to hand defendants a script to argue the Sixth Amendment violations themselves.</p> <p><u>Rob Ruffner, Esq.:</u> Regarding the draft of Chapter 5, I am chagrined it has been voted out for public comment in its current version. It is unworkable in its current form and could have used a redraft before sending it out. The Statewide Resource Counsel is very concerned because he is co-counsel on cases throughout the State. He is worried that this proposed rule will make it difficult for him to do that. He is also concerned that this may create barriers to getting co-counsel. All the attorneys in my office handle exclusively assigned criminal cases. It is often that an attorney who is not the one assigned to the case answers the phone for clients. Chair Tardy asked Attorney Ruffner to submit written comments.</p>
Adjournment	The next meeting will be held on June 11, 2024 at 1:00PM.

MAINE COMMISSION ON PUBLIC DEFENSE SERVICES

May 2024 Operations Report

- 2,605 new cases were opened in the DefenderData system in May. This was a 434 case increase from April. Year to date, new cases are up 4.1% from last year from 27,858 at this time last year to 29,019 this year.
- The number of vouchers submitted electronically in May was 4,128 an increase of 834 vouchers from April, totaling \$4,424,423, an increase of \$765,840 from April. Year to date, the number of submitted vouchers is up by approximately 15.1%, from 32,013 at this time last year to 36,871 this year, with the total amount for submitted vouchers up approximately 81.8%, from \$20,980,348 at this time last year to \$38,155,528 this year.
- In May, we paid 3,533 electronic vouchers totaling \$3,666,770 representing a decrease of 3,755 vouchers and a decrease of \$352,135 compared to April. Year to date, the number of paid vouchers is up approximately 15.3%, from 31,499 at this time last year to 36,331 this year, and the total amount paid is up approximately 82%, from \$20,457,629 this time last year to \$37,243,281 this year.
- The average price per voucher in May was \$1,037.86 down \$64.94 per voucher from April. Year to date, the average price per voucher is up approximately 57.8%, from \$649.47 at this time last year to \$1,025.11 this year.
- Appeal and Post-Conviction Review had the highest average voucher in May. There were 21 vouchers exceeding \$7,500 paid in May. See attached addendum for details.
- In May, we issued 167 authorizations to expend funds: 74 for private investigators, 65 for experts, and 28 for miscellaneous services such as interpreters and transcriptionists. In May, we paid \$144,248 for experts and investigators, etc. No requests were denied.
- There were no attorney suspensions in May.
- In the All Other Account, the total expenses for the month of May were \$173,623. Approximately \$36,103 was devoted to the Commission's operating expenses.
- In the Personal Services Accounts, we had \$284,367 in expenses for the month of May.
- In the Revenue Account, there was no transfer of collected counsel fees from the Judicial Branch in May. We paid \$3,666,770 in counsel payments for the month of May. Year-to-date we have paid \$229,601 in STACAP fees.
- As of June 6, 2024, there are 163 rostered attorneys of which 109 are available for trial court level work.

- For the first 11 months of this fiscal year, submitted hours are up approximately 17.1% over the same 11-month period last year. And May 2024 submitted hours are 19% greater than May 2023 submitted hours.

Submitted Hours													
	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June	Yearly Total
FY21	13,652	15,225	17,333	20,420	17,399	17,244	19,813	17,753	31,671	17,869	19,037	19,270	226,687
FY22	19,764	21,749	19,882	22,228	17,828	17,286	22,006	21,357	24,885	19,723	19,551	21,195	247,454
FY23	19,890	22,083	20,470	20,125	20,820	21,997	21,823	20,666	23,273	19,878	25,420	25,109	261,556
FY24	22,635	24,596	22,244	21,813	22,643	23,608	28,859	28,903	26,406	25,109	30,260		277,078

Vouchers over \$7,500

Comment	Voucher Total	Case Total
Gross Sexual Assault	\$25,991.92	\$25,991.92
Arson	\$22,470.00	\$22,470.00
Child Protection Petition	\$20,230.48	\$36,931.18
Visual Sexual Aggression Against A Child	\$19,455.00	\$19,455.00
Elevated Aggravated Assault	\$17,002.96	\$17,002.96
Gross Sexual Assault	\$14,036.01	\$14,036.01
Manslaughter	\$12,825.00	\$12,825.00
Gross Sexual Assault	\$10,754.86	\$10,754.86
Aggravated Trafficking	\$10,609.68	\$10,609.68
Termination of Parental Rights	\$10,079.36	\$16,048.36
Domestic Violence Assault	\$9,896.00	\$9,896.00
Reckless Conduct	\$9,667.64	\$9,667.64
Burglary	\$9,411.52	\$9,411.52
Unlawful Sexual Contact	\$9,089.60	\$9,089.60
Unlawful Sexual Contact	\$8,895.00	\$8,895.00
Homicide	\$8,830.00	\$30,145.00
Aggravated Trafficking	\$8,541.00	\$8,541.00
Post-Conviction Review	\$8,505.00	\$12,060.00
Post-Conviction Review	\$8,487.00	\$8,487.00
Homicide	\$8,325.00	\$8,325.00
Aggravated Assault	\$7,556.48	\$7,556.48

MAINE COMMISSION ON INDIGENT LEGAL SERVICES

Activity Report by Case Type

5/31/2024

DefenderData Case Type	May-24						Fiscal Year 2024			
	New Cases	Vouchers Submitted	Submitted Amount	Vouchers Paid	Approved Amount	Average Amount	Cases Opened	Vouchers Paid	Amount Paid	Average Amount
Appeal	23	45	\$136,497.94	36	\$ 91,030.42	\$2,528.62	178	230	\$ 667,018.98	\$2,900.08
Central Office Resource Counsel	0	4	\$5,250.00	5	\$ 12,444.83	\$2,488.97	6	41	\$ 60,389.83	\$1,472.92
Child Protection Petition	189	500	\$661,028.37	432	\$ 551,770.68	\$1,277.25	1,961	4,097	\$ 5,283,474.43	\$1,289.60
Drug Court	4	14	\$30,930.00	15	\$ 30,214.00	\$2,014.27	60	169	\$ 361,504.04	\$2,139.08
Emancipation	6	12	\$6,146.75	12	\$ 7,914.75	\$659.56	71	67	\$ 61,437.93	\$916.98
Felony	593	1,069	\$1,550,103.15	946	\$ 1,269,254.64	\$1,341.71	7,017	8,969	\$ 12,679,775.13	\$1,413.73
Involuntary Civil Commitment	174	179	\$103,274.40	168	\$ 94,523.10	\$562.64	1,286	1,171	\$ 656,299.05	\$560.46
Juvenile	78	133	\$159,468.67	130	\$ 153,209.83	\$1,178.54	1,025	1,054	\$ 1,272,956.75	\$1,207.74
Lawyer of the Day - Custody	298	274	\$193,569.50	243	\$ 166,927.50	\$686.94	2,866	2,752	\$ 1,819,790.74	\$661.26
Lawyer of the Day - Juvenile	10	10	\$4,670.00	9	\$ 4,266.00	\$474.00	168	172	\$ 99,678.20	\$579.52
Lawyer of the Day - Walk-in	158	161	\$103,331.05	105	\$ 72,218.20	\$687.79	1,510	1,495	\$ 1,007,378.39	\$673.83
MCILS Provided Training	141	124	\$93,792.92	73	\$ 79,100.14	\$1,083.56	801	666	\$ 531,298.09	\$797.74
Misdemeanor	784	1,255	\$979,800.81	1,056	\$ 815,412.82	\$772.17	10,100	11,608	\$ 8,208,084.04	\$707.11
Petition, Modified Release Treatment	1	4	\$5,535.00	3	\$ 4,590.00	\$1,530.00	8	36	\$ 40,409.34	\$1,122.48
Petition, Release or Discharge	0	0		1	\$ 1,980.00	\$1,980.00	2	11	\$ 35,935.81	\$3,266.89
Petition, Termination of Parental Rights	0	25	\$38,344.70	22	\$ 34,909.51	\$1,586.80	118	575	\$ 959,033.02	\$1,667.88
Post Conviction Review	2	21	\$52,442.10	20	\$ 51,652.50	\$2,582.63	48	149	\$ 457,821.55	\$3,072.63
Probate	1	7	\$22,758.00	2	\$ 1,750.00	\$875.00	20	36	\$ 86,256.96	\$2,396.03
Probation Violation	127	197	\$170,863.18	169	\$ 128,600.81	\$760.95	1,475	1,585	\$ 1,312,105.29	\$827.83
Represent Witness on 5th Amendment	6	4	\$2,265.00	3	\$ 2,085.00	\$695.00	31	23	\$ 24,789.69	\$1,077.81
Resource Counsel Criminal	0	4	\$2,460.00	5	\$ 3,525.00	\$705.00	6	43	\$ 19,004.00	\$441.95
Resource Counsel Juvenile	0	1	\$270.00	1	\$ 270.00	\$270.00	1	12	\$ 3,255.00	\$271.25
Resource Counsel Mental Health	0	0		1	\$ 150.00	\$150.00	1	6	\$ 1,170.00	\$195.00
Resource Counsel NCR	0	0		0			0	0		
Resource Counsel Protective Custody	0	3	\$5,444.31	2	\$ 2,880.00	\$1,440.00	6	35	\$ 57,002.50	\$1,628.64
Review of Child Protection Order	0	74	\$90,234.08	69	\$ 82,611.25	\$1,197.26	231	1,317	\$ 1,530,504.32	\$1,162.11
Revocation of Administrative Release	0	2	\$1,909.00	1	\$ 495.00	\$495.00	10	8	\$ 3,923.00	\$490.38
Weapons Restrictions Case	10	6	\$4,035.00	4	\$ 2,985.00	\$746.25	13	4	\$ 2,985.00	\$746.25
TOTAL	2,605	4,128	\$4,424,423.93	3,533	\$ 3,666,770.98	\$1,037.86	29,019	36,331	\$ 37,243,281.08	\$1,025.11

MAINE COMMISSION ON INDIGENT LEGAL SERVICES

Activity Report by Court

5/31/2024

Court	May-24						Fiscal Year 2024			
	New Cases	Vouchers Submitted	Submitted Amount	Vouchers Paid	Approved Amount	Average Amount	Cases Opened	Vouchers Paid	Amount Paid	Average Amount
ALFSC	0	3	\$2,146.00	1	\$ 60.00	\$60.00	5	13	\$ 11,894.40	\$914.95
AUBSC	1	4	\$5,049.00	2	\$ 4,015.00	\$2,007.50	8	15	\$ 18,019.32	\$1,201.29
AUGDC	50	84	\$105,086.04	102	\$ 134,060.59	\$1,314.32	534	767	\$ 1,040,516.12	\$1,356.61
AUGSC	1	3	\$4,620.00	3	\$ 5,655.00	\$1,885.00	13	49	\$ 85,137.76	\$1,737.51
BANDC	60	105	\$73,477.56	91	\$ 60,017.00	\$659.53	620	981	\$ 821,159.49	\$837.06
BANSC	1	1	\$331.50	1	\$ 331.50	\$331.50	3	11	\$ 5,244.16	\$476.74
BATSC	0	0	\$0.00	0			1	2	\$ 1,710.00	\$855.00
BELDC	9	23	\$19,088.93	12	\$ 10,383.33	\$865.28	136	238	\$ 298,929.14	\$1,256.00
BELSC	0	2	\$1,605.00	2	\$ 1,605.00	\$802.50	4	3	\$ 3,137.48	\$1,045.83
BIDDC	59	90	\$111,723.76	80	\$ 90,082.06	\$1,126.03	505	664	\$ 801,084.76	\$1,206.45
BRIDC	8	22	\$34,827.38	7	\$ 13,289.70	\$1,898.53	106	111	\$ 143,859.08	\$1,296.03
CALDC	1	20	\$18,285.78	13	\$ 14,192.50	\$1,091.73	56	93	\$ 91,816.96	\$987.28
CARDC	6	15	\$11,283.50	15	\$ 10,401.00	\$693.40	64	149	\$ 154,931.38	\$1,039.81
CARSC	0	0	\$0.00	0			6	2	\$ 3,645.00	\$1,822.50
DOVDC	8	13	\$8,452.00	13	\$ 11,873.42	\$913.34	62	114	\$ 119,019.70	\$1,044.03
DOVSC	0	0	\$ -	0			2	1	\$ 1,290.00	\$1,290.00
ELLDC	14	47	\$58,047.00	36	\$ 38,676.00	\$1,074.33	141	360	\$ 472,606.40	\$1,312.80
ELLSC	0	0	\$ -	0			0	0		
FARDC	12	16	\$12,703.77	14	\$ 14,274.06	\$1,019.58	145	208	\$ 222,258.32	\$1,068.55
FARSC	0	0	\$ -	0			2	2	\$ 2,055.00	\$1,027.50
FORDC	1	11	\$9,121.00	10	\$ 7,276.00	\$727.60	67	124	\$ 148,160.26	\$1,194.84
HOUDC	2	17	\$20,041.00	20	\$ 22,744.00	\$1,137.20	95	208	\$ 249,856.16	\$1,201.23
HOUSC	0	0	\$ -	0			1	3	\$ 4,568.00	\$1,522.67
LEWDC	27	86	\$110,242.10	70	\$ 78,521.10	\$1,121.73	512	930	\$ 1,082,740.88	\$1,164.24
LINDC	9	9	\$11,003.18	10	\$ 8,993.18	\$899.32	41	85	\$ 100,794.76	\$1,185.82
MACDC	6	8	\$10,930.00	7	\$ 4,570.00	\$652.86	56	84	\$ 87,886.37	\$1,046.27
MACSC	1	0	\$0.00	0			2	1	\$ 1,185.00	\$1,185.00
MADDC	0	0	\$ -	0			7	1	\$ 975.00	\$975.00
MILDC	2	2	\$1,195.00	2	\$ 1,195.00	\$597.50	8	11	\$ 7,789.00	\$708.09
NEWDC	12	27	\$25,480.83	27	\$ 24,247.83	\$898.07	107	238	\$ 231,842.19	\$974.13
PORDC	92	137	\$164,476.05	119	\$ 142,615.73	\$1,198.45	782	1,037	\$ 1,236,676.53	\$1,192.55
PORSC	3	3	\$7,041.48	3	\$ 7,041.48	\$2,347.16	14	19	\$ 65,167.48	\$3,429.87
PREDC	14	22	\$22,368.00	20	\$ 23,801.00	\$1,190.05	101	205	\$ 288,145.82	\$1,405.59
RODC	24	31	\$25,997.70	23	\$ 23,317.90	\$1,013.82	154	195	\$ 204,263.87	\$1,047.51
RODC	24	31	\$25,997.70	23	\$ 23,317.90	\$1,013.82	154	195	\$ 204,263.87	\$1,047.51
ROSC	1	1	\$390.00	2	\$ 975.00	\$487.50	5	7	\$ 9,269.00	\$1,324.14
RUMDC	14	24	\$45,499.87	22	\$ 44,552.90	\$2,025.13	104	210	\$ 308,484.96	\$1,468.98
SKODC	13	65	\$78,080.08	62	\$ 70,573.75	\$1,138.29	282	671	\$ 746,703.24	\$1,112.82
SKOSC	0	0	\$0.00	0			3	5	\$ 5,863.48	\$1,172.70
SOUDC	5	21	\$28,085.76	13	\$ 13,245.81	\$1,018.91	97	186	\$ 297,085.76	\$1,597.24
SOUSC	0	1	\$1,740.00	0			6	4	\$ 14,172.94	\$3,543.24
SPRDC	3	18	\$37,259.48	26	\$ 27,750.77	\$1,067.34	85	269	\$ 326,051.16	\$1,212.09
Law Ct	21	35	\$114,866.62	27	\$ 66,586.61	\$2,466.17	147	177	\$ 539,019.08	\$3,045.31
Training	140	128	\$98,832.23	79	\$ 89,129.97	\$1,128.23	798	724	\$ 624,395.42	\$862.42
YORCD	289	473	\$507,592.01	356	\$ 399,635.13	\$1,122.57	3,453	4,024	\$ 4,142,190.77	\$1,029.37
AROCD	128	241	\$285,610.60	195	\$ 166,909.47	\$855.95	1,724	2,167	\$ 2,296,829.74	\$1,059.91
ANDCD	220	299	\$319,391.01	216	\$ 236,459.99	\$1,094.72	2,095	2,615	\$ 2,396,815.02	\$916.56
KENCD	178	230	\$229,002.94	242	\$ 246,369.28	\$1,018.05	2,350	2,502	\$ 2,120,726.38	\$847.61
PENCD	210	326	\$321,918.11	295	\$ 287,779.67	\$975.52	2,685	3,225	\$ 3,018,870.55	\$936.08
SAGCD	55	61	\$62,815.65	49	\$ 49,649.50	\$1,013.26	508	469	\$ 453,562.73	\$967.08
WALCD	60	74	\$141,520.36	62	\$ 67,440.60	\$1,087.75	715	692	\$ 721,686.38	\$1,042.90
PISCD	21	29	\$24,188.14	31	\$ 30,219.38	\$974.82	185	199	\$ 211,928.26	\$1,064.97
HANCD	78	102	\$83,390.50	109	\$ 112,364.26	\$1,030.86	762	957	\$ 913,390.74	\$954.43
FRACD	46	73	\$88,620.95	99	\$ 97,476.37	\$984.61	499	678	\$ 562,492.27	\$829.63
WASCD	38	47	\$99,658.98	59	\$ 63,439.16	\$1,075.24	590	596	\$ 784,934.77	\$1,317.00
CUMCD	336	540	\$521,073.38	441	\$ 466,190.09	\$1,057.12	4,032	4,464	\$ 4,603,119.39	\$1,031.16
KN OCD	66	106	\$104,699.86	97	\$ 108,326.34	\$1,116.77	583	655	\$ 728,673.64	\$1,112.48
SOMCD	110	172	\$132,064.48	114	\$ 76,565.76	\$671.63	1,050	1,167	\$ 1,018,629.76	\$872.86
OXFCD	68	112	\$70,902.81	112	\$ 65,543.71	\$585.21	953	1,396	\$ 944,329.18	\$676.45
LINCD	40	66	\$54,169.53	54	\$ 44,773.06	\$829.13	499	476	\$ 440,820.34	\$926.09
WATDC	13	40	\$47,337.74	33	\$ 37,542.24	\$1,137.64	191	448	\$ 467,545.05	\$1,043.63
WESDC	21	27	\$33,815.38	22	\$ 29,268.38	\$1,330.38	180	264	\$ 308,120.20	\$1,167.12
WISDC	7	7	\$6,796.40	8	\$ 9,674.40	\$1,209.30	50	87	\$ 111,993.02	\$1,287.28
WISSC	0	0	\$0.00	0			1	2	\$ 630.00	\$315.00
YORDC	1	7	\$7,147.50	3	\$ 1,760.00	\$586.67	20	59	\$ 93,178.53	\$1,579.30
TOTAL	2,605	4,128	\$4,424,423.93	3,533	\$3,666,770.98	\$1,037.86	29,019	36,331	\$37,243,281.08	\$1,036.11

MAINE COMMISSION ON INDIGENT LEGAL SERVICES

FY24 FUND ACCOUNTING

AS OF 05/31/2024

Account 010 95F Z112 01 (All Other)	Mo.	Q1	Mo.	Q2	Mo.	Q3	Mo.	Q4	FY24 Total
FY24 Professional Services Allotment		\$ 7,783,128.77		\$ 4,923,712.00		\$ 4,923,711.00		\$ 4,923,711.00	\$ 22,554,262.77
FY24 General Operations Allotment		\$ 48,000.00		\$ 48,000.00		\$ 48,000.00		\$ 48,000.00	\$ 192,000.00
FY23 carry forward appropriation		\$ -		\$ 1,255,608.01		\$ -		\$ -	
FY23 carry forward appropriation		\$ -		\$ (0.01)		\$ -		\$ -	\$ 1,255,608.01
Budget Order Adjustment		\$ (1,496,870.00)		\$ 1,496,870.00		\$ (1,354.00)		\$ 1,354.00	\$ -
Budget Order Adjustment		\$ -		\$ (197,532.00)		\$ 197,532.00		\$ -	\$ -
Budget Order Adjustment		\$ -		\$ -		\$ 444,809.00		\$ (444,809.00)	\$ -
Financial Order Adjustment		\$ -		\$ 42,731.00		\$ (753,081.00)		\$ (4,122,332.00)	\$ (4,832,682.00)
Transfer to payroll services for new positions		\$ -		\$ -		\$ (656,453.00)		\$ -	\$ (656,453.00)
Total Budget Allotments		\$ 6,334,258.77		\$ 7,569,389.00		\$ 4,203,164.00		\$ 405,924.00	\$ 18,512,735.78
Total Expenses	1	\$ (2,941,048.40)	4	\$ (3,750,984.71)	7	\$ (3,005,424.00)	10	\$ (264,693.93)	
	2	\$ (2,953,206.21)	5	\$ (1,504,762.41)	8	\$ (998,144.62)	11	\$ (173,623.21)	
	3	\$ (92,893.88)	6	\$ (2,309,642.06)	9	\$ (214,252.73)	12	\$ -	
FY23 carry forward appropriation		\$ -		\$ -		\$ -		\$ -	\$ 1,255,608.01
FY23 carry forward encumbrances		\$ -		\$ -		\$ -		\$ -	\$ (587,542.77)
Encumbrances (Justice Works)		\$ (82,212.00)		\$ 24,108.00		\$ 23,037.00		\$ 13,725.00	\$ (21,342.00)
Encumbrances (Justice Works for PD users access)		\$ -		\$ -		\$ (43,100.00)		\$ 14,456.00	\$ (28,644.00)
Encumbrances (B Taylor)		\$ (13,260.00)		\$ (61,880.00)		\$ 22,099.99		\$ 11,786.66	\$ (41,253.35)
Encumbrances (CTB for non attorney expenses)		\$ 179,235.71		\$ 15,080.35		\$ 7,538.86		\$ -	\$ 201,854.92
Encumbrance (Legal Case Management Accelerator User assistance)		\$ (5,550.00)		\$ 5,550.00		\$ -		\$ -	\$ -
Encumbrance (Justin Andrus contract for temp services)		\$ (125,693.60)		\$ 3,156.50		\$ 1,327.50		\$ -	\$ (121,209.60)
Online Legal Research Services		\$ (46,979.20)		\$ 10,014.51		\$ 10,081.05		\$ 3,360.35	\$ (23,523.29)
Encumbrance (K. Guillory contract for website maintenance)		\$ (1,000.00)		\$ -		\$ -		\$ 1,000.00	\$ -
Encumbrance (business cards)		\$ -		\$ (28.50)		\$ (26.50)		\$ 55.00	\$ -
Encumbrance (videographer)		\$ -		\$ -		\$ (6,300.00)		\$ -	\$ (6,300.00)
		\$ -		\$ -		\$ -		\$ -	\$ -
FY22 CTB Balance Carry Forward		\$ (251,650.23)		\$ -		\$ -		\$ -	\$ (251,650.23)
TOTAL REMAINING		\$ 0.96		\$ 0.68		\$ 0.55		\$ 11,989.87	\$ 11,992.06

Q4 Month 11	
INDIGENT LEGAL SERVICES	
Counsel Payments	\$ -
Interpreters	\$ (2,076.95)
Private Investigators	\$ (35,111.84)
Mental Health Expert	\$ (35,266.00)
Misc Prof Fees & Serv	\$ -
Transcripts	\$ (5,448.85)
Other Expert	\$ (55,796.06)
Subpoena witness	\$ (92.28)
Process Servers	\$ (3,728.01)
SUB-TOTAL ILS	\$ (137,519.99)

INDIGENT LEGAL SERVICES	
Q4 Allotment	\$ 405,924.00
Encumbrances for Justice Works contract	\$ 13,725.00
Encumbrances for Justice Works contract for PD users access	\$ 14,456.00
Barbara Taylor Contract	\$ 11,786.66
CTB Encumbrance for non attorney expenses	\$ -
Encumbrance for Videographer	\$ -
Encumbrance for Justin Andrus contract for temp services	\$ -
Legal Case Management Accelerator User Assistance	\$ -
Online Legal Research Services	\$ 3,360.35
Encumbrance (K. Guillory contract for website maintenance)	\$ 1,000.00

MAINE COMMISSION ON INDIGENT LEGAL SERVICES
FY24 FUND ACCOUNTING
AS OF 05/31/2024

OPERATING EXPENSES		
Risk Management Insurances	\$	-
Barbara Taylor monthly fees	\$	(5,893.33)
OIT/TELCO	\$	-
Mileage/Tolls/Parking	\$	(2,182.50)
Mailing/Postage/Freight	\$	(515.90)
West Publishing Corp	\$	(3,632.39)
Meter postage cards printing	\$	(160.00)
Office Supplies/Equip.	\$	(316.50)
Cellular Phones	\$	(846.73)
Periodicals/Books	\$	(502.00)
Employee/counsel lodging	\$	-
Service Center	\$	(11,011.58)
Katherine Guillory contract	\$	(1,000.00)
Central fleet vehicle lease	\$	-
Minor IT equipment/accessories	\$	(25.88)
Legal Ads/Job Postings	\$	(2,010.14)
Dues	\$	(800.00)
Registration fees	\$	(600.00)
Sales tax paid	\$	(3.19)
Justice Works	\$	(6,480.00)
Miscellaneous travel expenses	\$	(30.00)
Staff meals & gratuity	\$	(41.13)
Defendant Clothing	\$	(51.95)
SUB-TOTAL OE	\$	(36,103.22)
TOTAL	\$	(173,623.21)

Encumbrance (business cards)	\$	55.00
Expenses to date	\$	(438,317.14)
Remaining Q4 Allotment	\$	11,989.87

Non-Counsel Indigent Legal Services		
Monthly Total	\$	(137,519.99)
Total Q1	\$	386,083.19
Total Q2	\$	356,772.26
Total Q3	\$	565,646.09
Total Q4	\$	355,199.32
Fiscal Year Total	\$	1,663,700.86

MAINE COMMISSION ON INDIGENT LEGAL SERVICES
FY24 FUND ACCOUNTING
AS OF 05/31/2024

Account 010 95F Z112 01 (Personal Services)	Mo.	Q1	Mo.	Q2	Mo.	Q3	Mo.	Q4	FY24 Total
FY24 Allotment		\$ 513,974.00		\$ 469,367.00		\$ 513,974.00		\$ 203,769.00	\$ 1,701,084.00
Financial Order Adjustments		\$ -		\$ 325,339.00		\$ 699,524.00		\$ 434,978.00	\$ 1,459,841.00
Budget Order Adjustments		\$ (92,158.00)		\$ (399,799.00)		\$ (554,502.00)		\$ 1,046,459.00	\$ -
Funding for additional staff		\$ -		\$ -		\$ -		\$ 656,453.00	\$ -
Projected savings-increase in attrition rate		\$ -		\$ -		\$ -		\$ -	\$ -
Total Budget Allotments		\$ 421,816.00		\$ 394,907.00		\$ 658,996.00		\$ 2,341,659.00	\$ 3,817,378.00
Total Expenses	1	\$ (125,464.57)	4	\$ (115,285.80)	7	\$ (260,396.68)	10	\$ (218,978.51)	
	2	\$ (176,263.37)	5	\$ (128,936.93)	8	\$ (201,488.18)	11	\$ (226,516.00)	
	3	\$ (120,087.49)	6	\$ (150,683.94)	9	\$ (197,110.90)	12	\$ -	
TOTAL REMAINING		\$ 0.57		\$ 0.33		\$ 0.24		\$ 1,896,164.49	\$ 1,896,165.63

Q4 Month 11	
Standard Overtime	\$ (91.32)
Permanent Regular	\$ (85,029.34)
Perm Vacation Pay	\$ (4,624.33)
Perm Holiday Pay	\$ (5,132.00)
Sick Pay	\$ (1,061.43)
Employee hlth svcs/workers comp	\$ (468.00)
Health Insurance	\$ (19,322.30)
Dental Insurance	\$ (540.20)
Employer Retiree Health	\$ (13,312.38)
Employer Retirement	\$ (8,524.94)
Employer Group Life	\$ (1,619.45)
Employer Medicare	\$ (2,180.32)
Retiree Unfunded Liability	\$ (25,211.21)
Longevity Pay	\$ (200.00)
Lim Perm Part Time Full Ben	\$ (4,983.60)
Limited Period Regular	\$ (47,518.75)
Limited Per Vacation Pay	\$ (1,816.81)
Limited Per Holiday Pay	\$ (2,655.68)
Limit Per Sick Pay	\$ (2,223.94)
Retro lump sum pymt	\$ -
Comp U/P no retirement	\$ -
Per Diem	\$ -
TOTAL	\$ (226,516.00)

MAINE COMMISSION ON INDIGENT LEGAL SERVICES
FY24 FUND ACCOUNTING
AS OF 05/31/2024

Account 014 95F Z112 01 (OSR Personal Services Revenue)	Mo.	Q1	Mo.	Q2	Mo.	Q3	Mo.	Q4	FY24 Total
FY24 Allotment		\$ 199,948.00		\$ 183,210.00		\$ 199,948.00		\$ 98,063.00	\$ 681,169.00
Financial Order Adjustments		\$ -		\$ -		\$ -		\$ -	
Carry Forward Q1 & Q3 Allotment		\$ -		\$ -		\$ -		\$ -	
Budget Order Adjustments		\$ (22,759.00)		\$ (27,726.00)		\$ (13,389.00)		\$ 63,874.00	
Total Budget Allotments		\$ 177,189.00		\$ 155,484.00		\$ 186,559.00		\$ 161,937.00	\$ 681,169.00
Total Expenses	1	\$ (51,673.18)	4	\$ (51,685.02)	7	\$ (75,829.14)	10	\$ (57,213.53)	
	2	\$ (73,802.05)	5	\$ (51,899.14)	8	\$ (56,176.10)	11	\$ (57,851.71)	
	3	\$ (51,713.22)	6	\$ (51,899.14)	9	\$ (54,552.88)	12	\$ -	
TOTAL REMAINING		\$ 0.55		\$ 0.70		\$ 0.88		\$ 46,871.76	\$ 46,873.89

Q4 Month 11	
Standard Overtime	\$ -
Permanent Regular	\$ (25,092.85)
Perm Vacation Pay	\$ -
Perm Holiday Pay	\$ (1,389.84)
Perm Sick Pay	\$ (1,314.11)
Health Insurance	\$ (7,430.44)
Dental Insurance	\$ (146.00)
Employer Retiree Health	\$ (3,162.20)
Employer Retirement	\$ (3,206.34)
Employer Group Life	\$ (411.60)
Employer Medicare	\$ (500.14)
Retiree Unfunded Liability	\$ (5,988.59)
Limited Period Regular	\$ (6,529.38)
Limit Per Holiday Pay	\$ (365.28)
Limit Per Vacation Pay	\$ -
Limit Per Sick Pay	\$ (410.94)
Longevity Pay	\$ -
Employee Hlth SVS/Workers comp	\$ (108.00)
Perm Part Time Full Ben	\$ -
Retro Pay Contract	\$ -
Retro Lump Sum Pymt	\$ (1,796.00)
TOTAL	\$ (57,851.71)

MAINE COMMISSION ON INDIGENT LEGAL SERVICES

FY24 FUND ACCOUNTING

As of 05/31/2024

Account 014 95F Z112 01 (Revenue)	Mo.	Q1	Mo.	Q2	Mo.	Q3	Mo.	Q4	FY24 Total
Original Total Budget Allotments		\$ 7,197,529.00		\$ 4,991,638.00		\$ 4,991,638.00		\$ 4,991,638.00	\$ 22,172,443.00
		\$ -		\$ -		\$ -		\$ -	\$ -
Financial Order Adjustment		\$ -		\$ -		\$ -		\$ -	\$ -
Financial Order Allotment Adjustment		\$ -		\$ -		\$ -		\$ 10,000,000.00	\$ -
Budget Order Adjustment		\$ (4,147,282.00)		\$ 4,147,282.00		\$ (4,019,270.00)		\$ 4,019,270.00	\$ -
Budget Order Adjustment		\$ -		\$ (6,066,173.00)		\$ 6,066,173.00		\$ -	\$ -
Total Budget Allotments		\$ 3,050,247.00		\$ 3,072,747.00		\$ 7,038,541.00		\$ 19,010,908.00	\$ 32,172,443.00
Cash Carryover from Prior Quarter		\$ -		\$ -		\$ -		\$ -	
Collected Revenue from JB	1	\$ 25,340.85	4	\$ 17,141.96	7	\$ 32,140.43	10	\$ 20,530.50	
Collected Revenue from JB	2	\$ 40,622.70	5	\$ 33,740.51	8	\$ 35,668.00	11	\$ -	
Collected Revenue from JB	3	\$ 21,472.00	6	\$ 20,014.28	9	\$ 28,704.75	12	\$ -	
Collected for reimbursement of counsel fees	1	\$ -	4	\$ 1,151.20	7	\$ 3,006.61	10	\$ -	
Collected for reimbursement of counsel fees	2	\$ 1,080.00	5	\$ -	8	\$ -	11	\$ 4,575.00	
Collected for reimbursement of counsel fees	3	\$ -	6	\$ -	9	\$ 159.00	12	\$ -	
TOTAL CASH PLUS REVENUE COLLECTED		\$ 88,515.55		\$ 72,047.95		\$ 99,678.79		\$ 25,105.50	\$ 285,347.79
Counsel Payments	1		4	\$ -	7	\$ (489,203.74)	10	\$ (4,018,905.34)	
Counsel Payments	2	\$ (93,716.08)	5	\$ (1,465,742.71)	8	\$ (2,819,787.16)	11	\$ (3,666,770.98)	
Counsel Payments	3	\$ (2,914,923.00)	6	\$ (1,565,387.04)	9	\$ (3,636,405.95)	12		
Training Refreshments transfer from conference account								\$ (10,019.79)	
Speaker fees for training								\$ (2,065.00)	
Non-counsel Payments								\$ (6,728.40)	
Quarterly Rent for CRPD office space								\$ (48,788.00)	
State Cap		\$ (41,606.93)		\$ (41,617.18)		\$ (93,143.33)		\$ (53,234.10)	
REMAINING ALLOTMENT		\$ 0.99		\$ 0.07		\$ 0.82		\$ 11,204,396.39	\$ 11,204,398.27

MAINE COMMISSION ON INDIGENT LEGAL SERVICES
FY24 FUND ACCOUNTING
AS OF 05/31/2024

Account 014 95F Z112 02 (Conference Account)	Mo.	Q1	Mo.	Q2	Mo.	Q3	Mo.	Q4	FY24 Total
FY24 Allotment		\$ 13,333.00		\$ 17,000.00		\$ 13,333.00		\$ 13,334.00	\$ 57,000.00
Financial Order Adjustments		\$ -		\$ -		\$ -		\$ -	
Budget Order Adjustments		\$ (13,333.00)		\$ 13,333.00		\$ (25,758.00)		\$ 25,758.00	
Budget Order Adjustments		\$ -		\$ (13,629.00)		\$ 13,629.00		\$ -	
Contribution from Maine Justice Foundation		\$ -		\$ -		\$ -		\$ 10,000.00	
Contribution from private source-JJAG		\$ -		\$ 5,000.00		\$ -		\$ -	
Total Budget Allotments		\$ -		\$ 16,704.00		\$ 1,204.00		\$ 39,092.00	\$ 57,000.00
Total Expenses	1	\$ -	4	\$ (5,149.70)	7	\$ (584.16)	10	\$ (3,891.82)	
	2	\$ -	5	\$ (724.59)	8	\$ (603.48)	11	\$ (8,624.79)	
	3	\$ -	6	\$ (10,613.79)	9	\$ -	12	\$ -	
State cap		\$ -		\$ (215.35)		\$ (15.51)		\$ (50.83)	
ABSJ transfer from revenue for refreshments		\$ -				\$ -		\$ 10,019.79	
TOTAL REMAINING		\$ -		\$ 0.57		\$ 0.85		\$ 36,544.35	\$ 36,545.77

Q4 Month 11	
Instructor & Speaker services	\$ (7,206.99)
Refreshments & Catered meals	\$ (1,417.80)
Sales tax	\$ -
Mileage & parking fees for staff	\$ -
Training rooms	\$ -
Registrations	\$ -
Lodging for counsel	\$ -
Mileage for counsel	\$ -
Office supplies	\$ -
TOTAL	\$ (8,624.79)

Statement of Revenue and Expenses for Maine Commission of Indigent Legal Services

As of May 28, 2024

<u>General Funds - 010-Z11201</u>	<u>QTR1</u>	<u>QTR2</u>	<u>QTR3</u>	<u>QTR4</u>	<u>TOTAL</u>
Personal Services Allotment	\$ 421,816	\$ 394,907	\$ 658,996	\$ 2,341,659	\$ 3,817,378
Payroll to date	(421,815)	(394,907)	(658,996)	(445,495)	(1,921,212)
Estimated payroll remaining	-	-	-	(227,345)	(227,345)
Total Personal Services available	\$ 1	\$ 0	\$ 0	\$ 1,668,820	\$ 1,668,821
All Other Allotment	\$ 6,334,259	\$ 7,569,389	\$ 4,203,164	\$ 405,924	\$ 18,512,736
Expenditures to date	(5,987,148)	(7,565,389)	(4,217,821)	(388,909)	(18,159,268)
Encumbrances	(347,109)	(3,999)	14,658	38,490	(297,961)
Total All Other Available	\$ 1	\$ 1	\$ 1	\$ 55,505	\$ 55,507

Unencumbered balance forward 0.00

<u>Other Special Revenue Funds - 014-Z11201</u>	<u>QTR1</u>	<u>QTR2</u>	<u>QTR3</u>	<u>QTR4</u>	<u>TOTAL</u>
Personal Services Allotment	\$ 177,189	\$ 155,484	\$ 186,559	\$ 161,937	\$ 681,169
Payroll to date	(177,188)	(155,483)	(186,558)	(115,065)	(634,295)
Estimated payroll remaining	-	-	-	(55,411)	(55,411)
Total Personal Services available	\$ 1	\$ 1	\$ 1	\$ (8,540)	\$ (8,538)
					FO UBF IND00-0005 Pend, \$40,522
All Other Allotment	\$ 3,050,247	\$ 3,072,747	\$ 7,038,541	\$ 19,010,908	\$ 32,172,443
Expenditures to date	(3,050,246)	(3,072,747)	(7,038,540)	(6,767,480)	(19,929,013)
Encumbrances	-	-	-	-	-
Total All Other Available	\$ 1	\$ 0	\$ 1	\$ 12,243,428	\$ 12,243,430
					*FO UBF \$10M Q4/Rec'd

CASH ON HAND 5/28/2024 \$ 13,933,536.74

<u>Other Special Revenue Funds - 014-Z11202</u>	<u>QTR1</u>	<u>QTR2</u>	<u>QTR3</u>	<u>QTR4</u>	<u>TOTAL</u>
All Other Allotment	\$ -	\$ 16,704	\$ 1,204	\$ 39,092	\$ 57,000
Expenditures to date	-	(16,703)	(1,203)	(12,317)	(30,224)
Encumbrances	-	-	-	-	-
Total All Other Available	\$ -	\$ 1	\$ 1	\$ 26,775	\$ 26,776

CASH ON HAND 5/28/2024 \$ 1,008.68

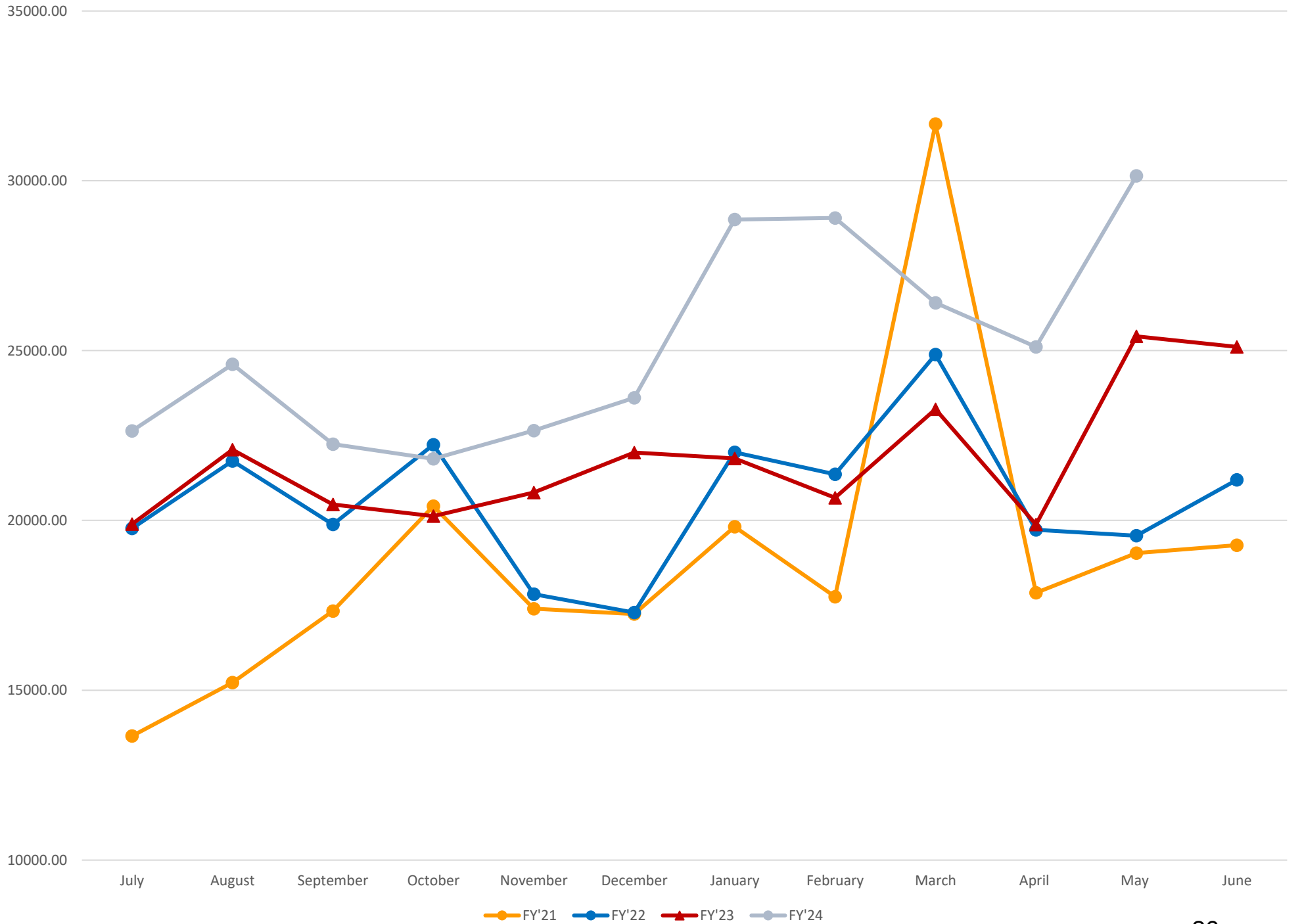
<u>Other Special Revenue Funds - 014-Z25801</u>	<u>QTR1</u>	<u>QTR2</u>	<u>QTR3</u>	<u>QTR4</u>	<u>TOTAL</u>
All Other Allotment	\$ -	\$ -	\$ -	\$ -	\$ -
Expenditures to date	-	-	-	-	-
Encumbrances	-	-	-	-	-
Total All Other Available	\$ -	\$ -	\$ -	\$ -	\$ -

CASH ON HAND 5/28/2024 \$ -

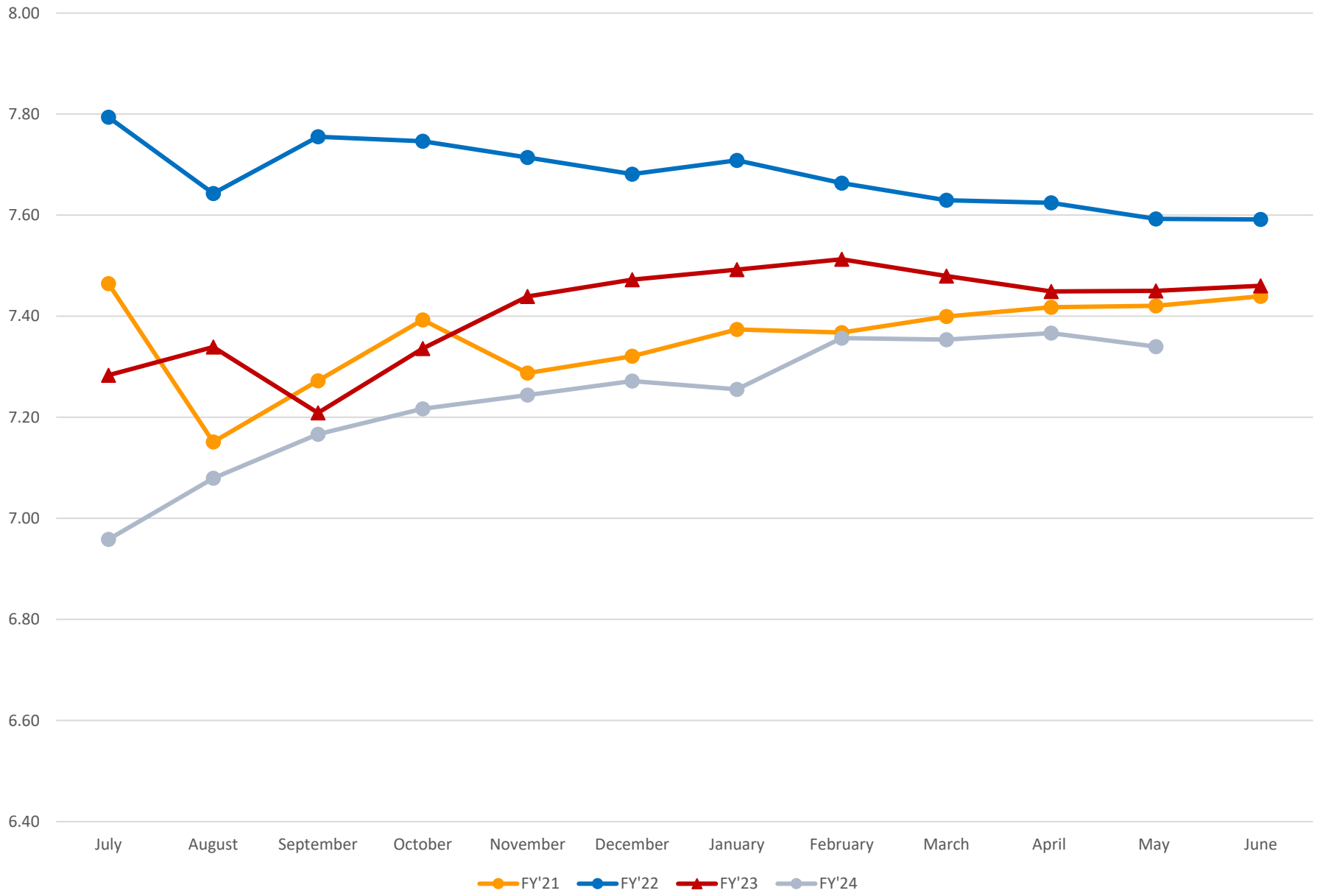
<u>ARPA Funds - 023-Z11201</u>	<u>QTR1</u>	<u>QTR2</u>	<u>QTR3</u>	<u>QTR4</u>	<u>TOTAL</u>
All Other Allotment	\$ -	\$ -	\$ -	\$ 1,500,000	\$ 1,500,000
Expenditures to date	-	-	-	-	-
Encumbrances	-	-	-	-	-
Total All Other Available	\$ -	\$ -	\$ -	\$ 1,500,000	\$ 1,500,000

CASH ON HAND 5/28/2024 \$ -

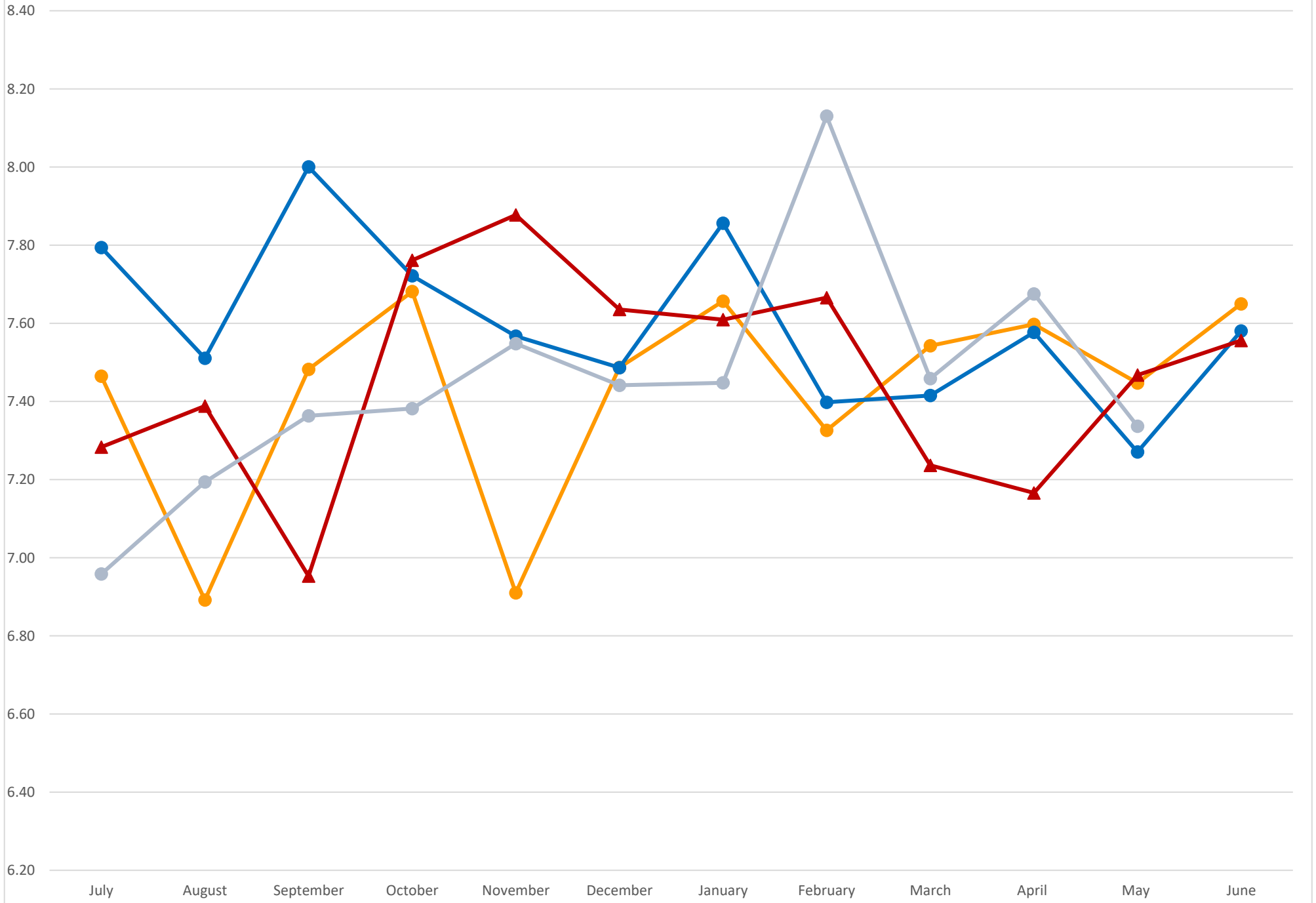
Submitted Hours Amount



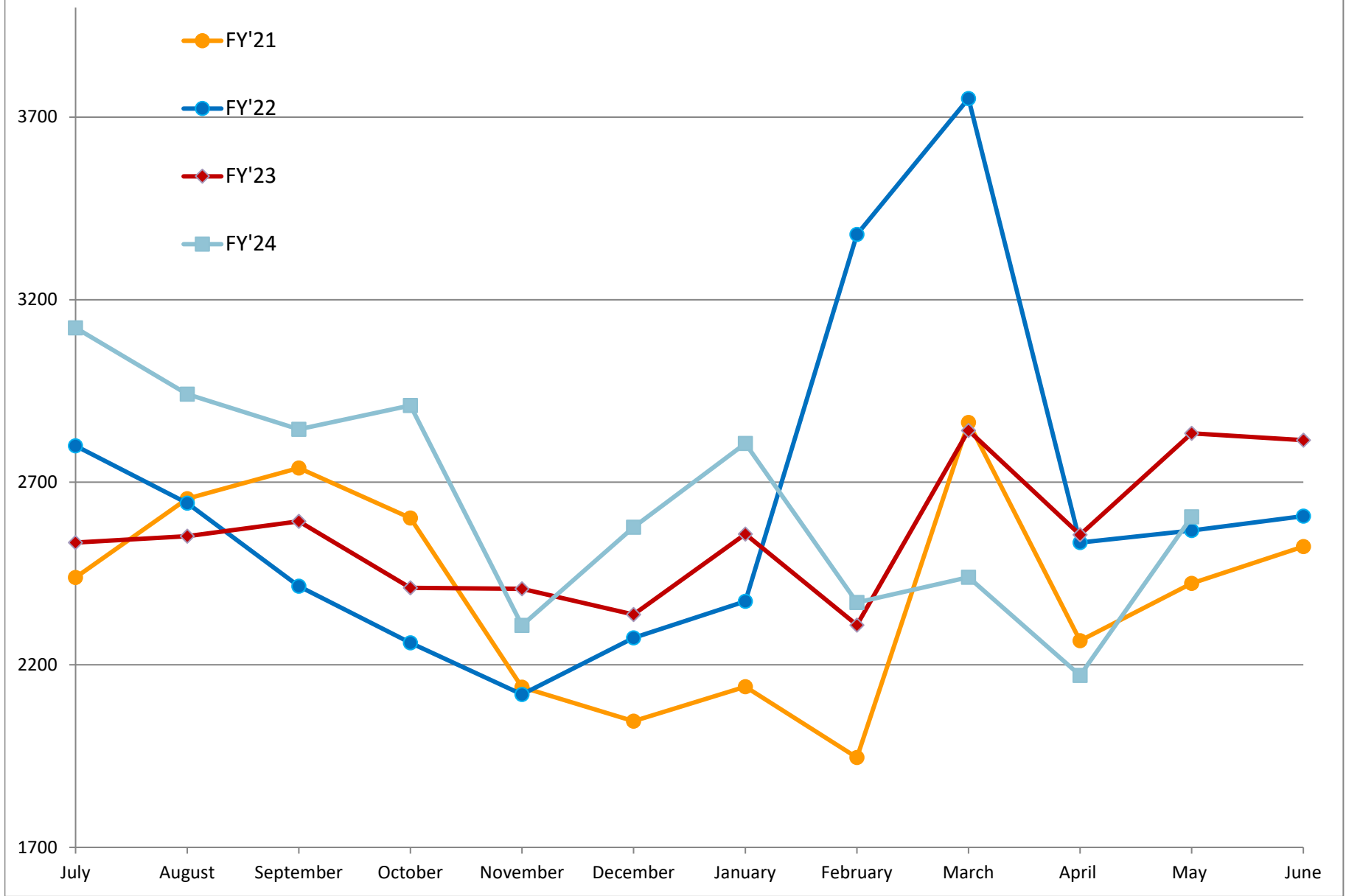
Average Hours per Voucher



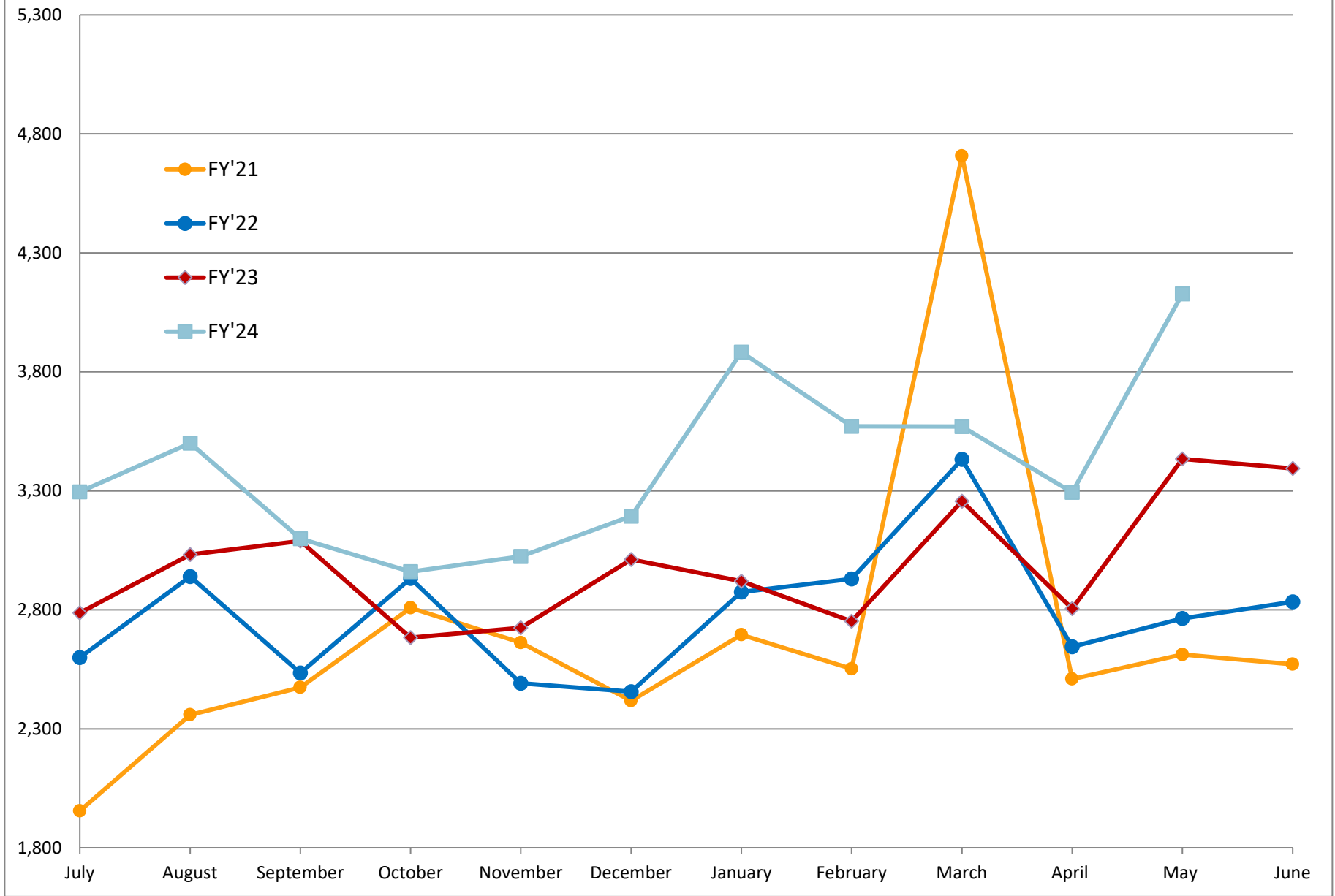
Monthly Average Hours per Voucher



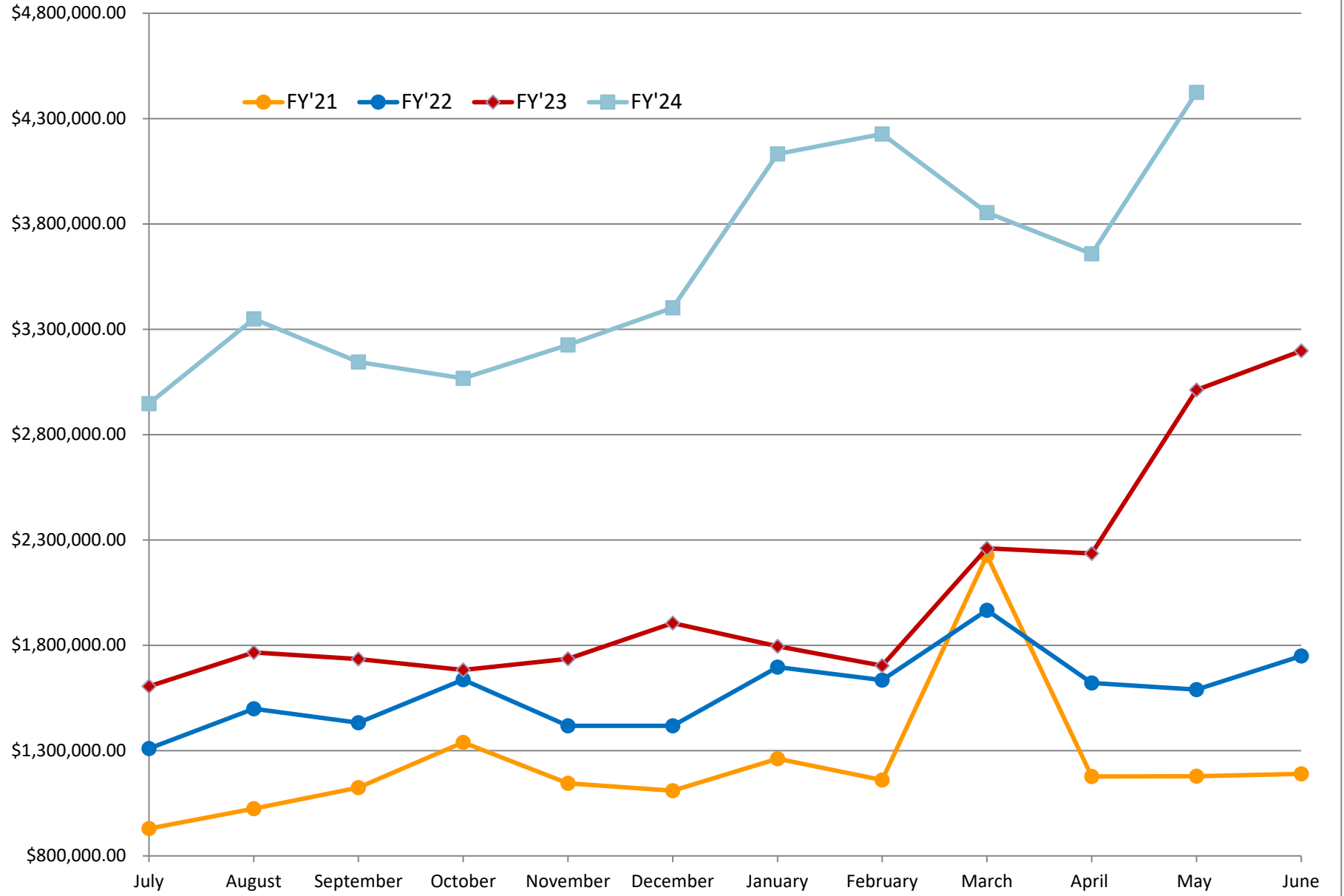
NEW CASES



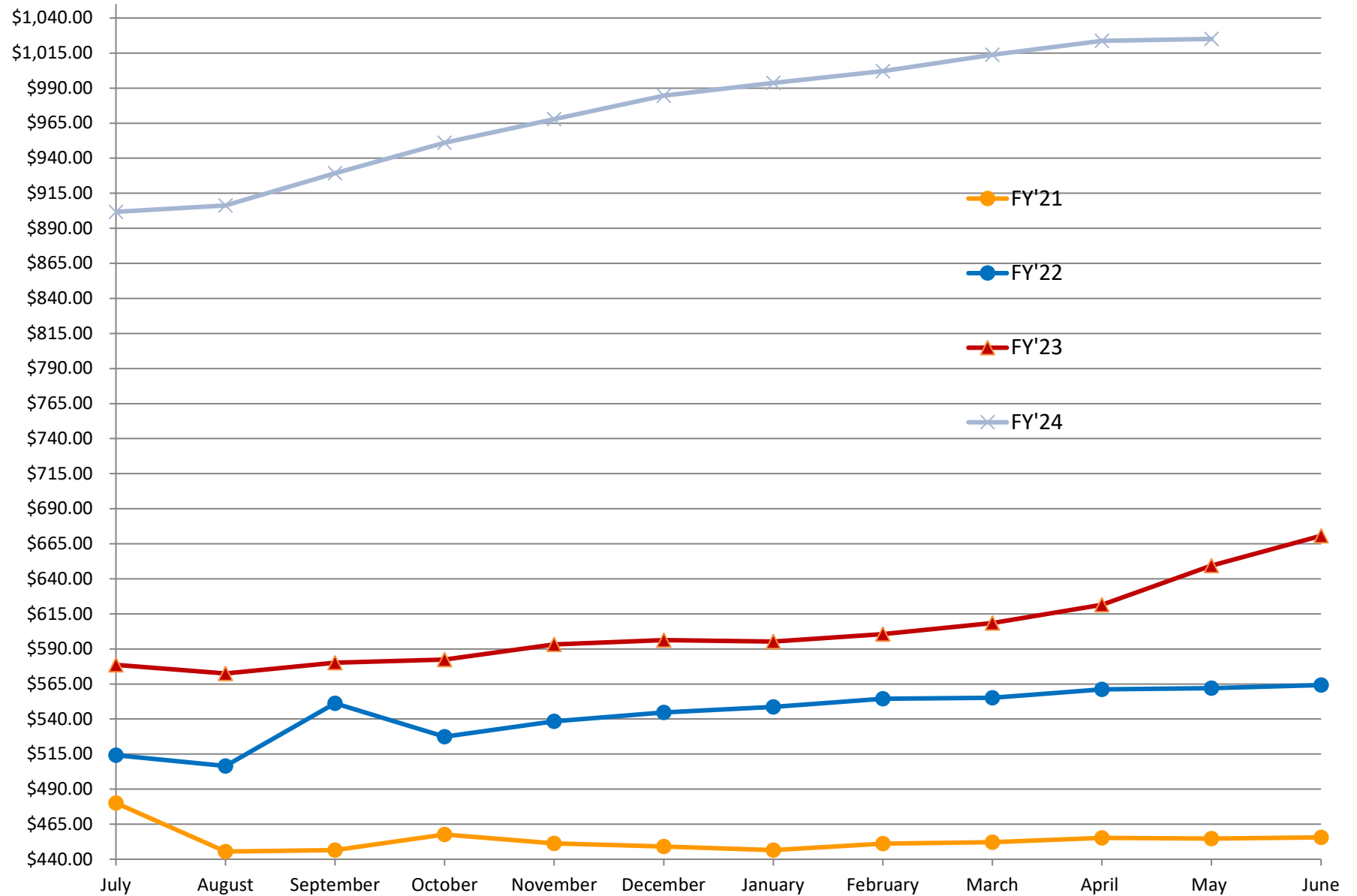
Submitted Vouchers



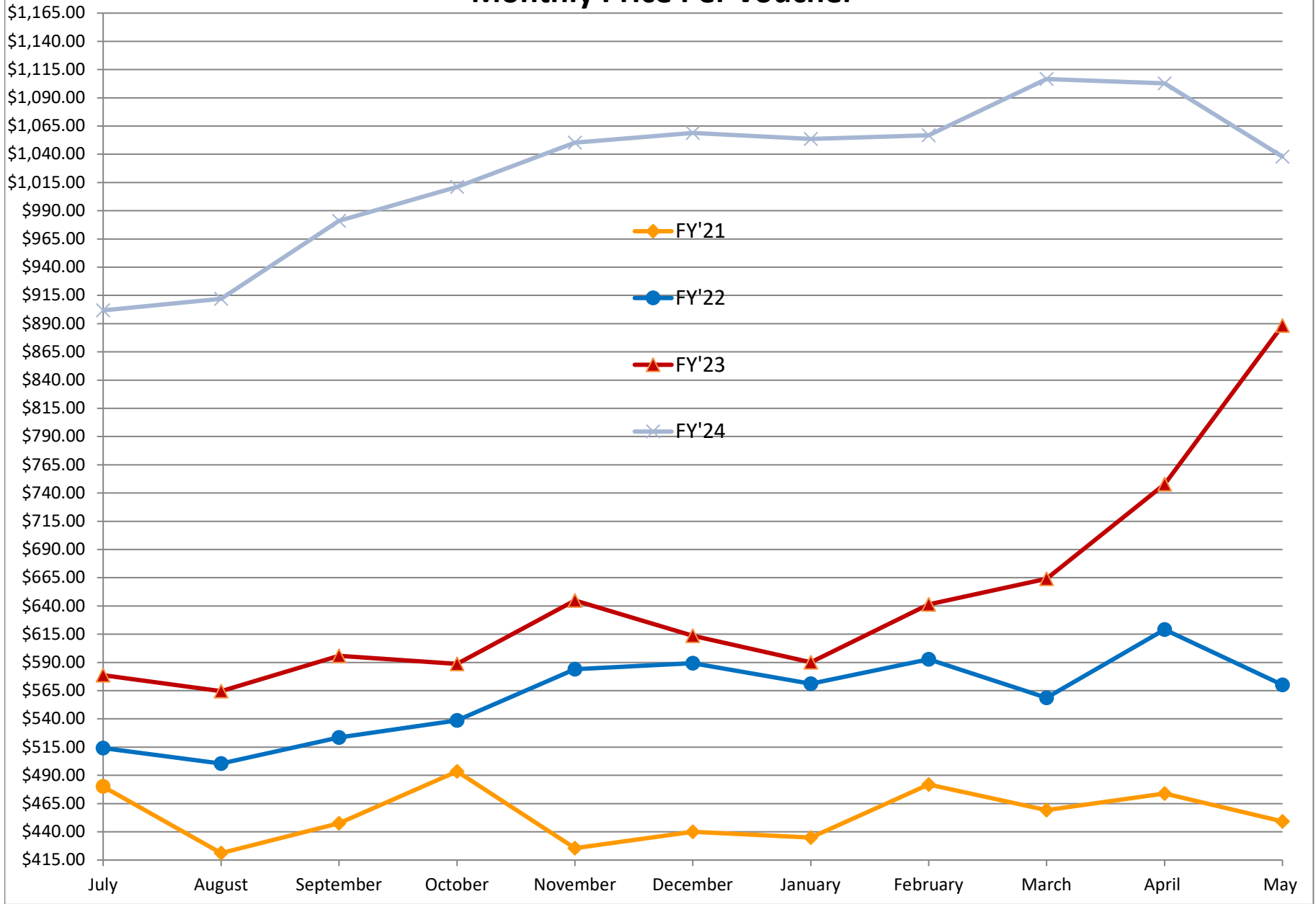
Submitted Voucher Amount



Average Voucher Price Fiscal Year to Date



Monthly Price Per Voucher



Pending UCD Cases as of May 24, 2024

UCD	FELONY				MISDEMEANOR				CIVIL VIOLATION			ALL CASES			
	Pending	On DD	No IA	% No IA	Pending	On DD	No IA	% No IA	Pending	No IA	% No IA	Pending	On DD	No IA	% No IA
Androscoggin	819	118	73	8.9%	1,628	309	277	17.0%	16	12	75.0%	2,463	427	362	14.7%
Aroostook	519	124	31	6.0%	826	286	176	21.3%	18	9	50.0%	1,363	410	216	15.8%
Caribou	89	23	3	3.4%	135	43	28	20.7%	1	0	0.0%	225	66	31	13.8%
Fort Kent	86	18	6	7.0%	189	73	34	18.0%	9	5	55.6%	284	91	45	15.8%
Houlton	154	41	5	3.2%	224	81	52	23.2%	5	2	40.0%	383	122	59	15.4%
Presque Isle	190	42	17	8.9%	278	89	62	22.3%	3	2	66.7%	471	131	81	17.2%
Cumberland	1,390	200	133	9.6%	3,639	529	659	18.1%	68	23	33.8%	5,097	729	815	16.0%
Bridgton	25	11	1	4.0%	296	36	63	21.3%	5	2	40.0%	326	47	66	20.2%
Portland	1,345	181	128	9.5%	2,895	380	495	17.1%	45	14	31.1%	4,285	561	637	14.9%
West Bath	20	8	4	20.0%	448	113	101	22.5%	18	7	38.9%	486	121	112	23.0%
Franklin	159	36	19	11.9%	397	117	97	24.4%	30	20	66.7%	586	153	136	23.2%
Hancock	401	37	22	5.5%	554	80	115	20.8%	46	26	56.5%	1,001	117	163	16.3%
Kennebec	597	108	48	8.0%	1,483	349	298	20.1%	30	15	50.0%	2,110	457	361	17.1%
Augusta	561	100	47	8.4%	946	220	173	18.3%	14	1	7.1%	1,521	320	221	14.5%
Waterville	36	8	1	2.8%	537	129	125	23.3%	16	14	87.5%	589	137	140	23.8%
Knox	197	36	12	6.1%	458	114	72	15.7%	6	0	0.0%	661	150	84	12.7%
Lincoln	150	24	11	7.3%	318	127	51	16.0%	5	1	20.0%	473	151	63	13.3%
Oxford	434	94	34	7.8%	807	200	160	19.8%	25	16	64.0%	1,266	294	210	16.6%
Bridgton	37	13	3	8.1%	64	18	8	12.5%	0	0	0.0%	101	31	11	10.9%
Rumford	175	29	17	9.7%	336	62	59	17.6%	9	5	55.6%	520	91	81	15.6%
South Paris	222	52	14	6.3%	407	120	93	22.9%	16	11	68.8%	645	172	118	18.3%
Penobscot	794	38	70	8.8%	1,619	37	526	32.5%	79	51	64.6%	2,492	75	647	26.0%
Bangor	761	36	65	8.5%	1,199	23	345	28.8%	15	10	66.7%	1,975	59	420	21.3%
Lincoln	11	0	5	45.5%	187	7	88	47.1%	48	37	77.1%	246	7	130	52.8%
Newport	22	2	0	0.0%	233	7	93	39.9%	16	4	25.0%	271	9	97	35.8%
Piscataquis	33	1	5	15.2%	90	1	44	48.9%	9	4	44.4%	132	2	53	40.2%
Sagadahoc	180	49	14	7.8%	416	133	89	21.4%	14	3	21.4%	610	182	106	17.4%
Somerset	270	61	21	7.8%	401	149	79	19.7%	17	6	35.3%	688	210	106	15.4%
Waldo	180	39	13	7.2%	349	107	63	18.1%	3	1	33.3%	532	146	77	14.5%
Washington	121	17	6	5.0%	244	55	46	18.9%	20	8	40.0%	385	72	60	15.6%
Calais	48	6	1	2.1%	115	27	26	22.6%	5	1	20.0%	168	33	28	16.7%
Machias	73	11	5	6.8%	129	28	20	15.5%	15	7	46.7%	217	39	32	14.7%
York	915	155	113	12.3%	2,961	766	638	21.5%	105	33	31.4%	3,981	921	784	19.7%
TOTAL	7,159	1,137	625	8.7%	16,190	3,359	3,390	20.9%	491	228	46.4%	23,840	4,496	4,243	17.8%

Columns

- Pending** Number of cases having at least one charge without a disposition, and without a currently active warrant.
- On DD** Number of pending cases with an Order of Deferred Disposition entered.
- No IA** Number of pending cases with a complaint filed, but not having an initial appearance or arraignment held or waived.
- % No IA** Percent of pending cases without an initial appearance/arraignment.

Cases are categorized based on the most serious offense charged. Local ordinance violations filed with the court are not included in the reported counts.

Change in Pending UCD Cases, May 2023 to May 2024

Pending cases as of May 24 of each year

UCD	FELONY			MISDEMEANOR			CIVIL VIOLATION			ALL CASES		
	2023	2024	% Diff	2023	2024	% Diff	2023	2024	% Diff	2023	2024	% Diff
Androscoggin	627	819	30.6%	1,906	1,628	-14.6%	8	16	100.0%	2,541	2,463	-3.1%
Aroostook	701	519	-26.0%	1,072	826	-22.9%	15	18	20.0%	1,788	1,363	-23.8%
Caribou	167	89	-46.7%	231	135	-41.6%	4	1	-75.0%	402	225	-44.0%
Fort Kent	120	86	-28.3%	200	189	-5.5%	2	9	350.0%	322	284	-11.8%
Houlton	191	154	-19.4%	266	224	-15.8%	5	5	0.0%	462	383	-17.1%
Presque Isle	223	190	-14.8%	375	278	-25.9%	4	3	-25.0%	602	471	-21.8%
Cumberland	1,252	1,390	11.0%	3,502	3,639	3.9%	70	68	-2.9%	4,824	5,097	5.7%
Bridgton	25	25	0.0%	287	296	3.1%	12	5	-58.3%	324	326	0.6%
Portland	1,205	1,345	11.6%	2,731	2,895	6.0%	39	45	15.4%	3,975	4,285	7.8%
West Bath	22	20	-9.1%	484	448	-7.4%	19	18	-5.3%	525	486	-7.4%
Franklin	133	159	19.5%	473	397	-16.1%	19	30	57.9%	625	586	-6.2%
Hancock	392	401	2.3%	665	554	-16.7%	48	46	-4.2%	1,105	1,001	-9.4%
Kennebec	615	597	-2.9%	1,639	1,483	-9.5%	30	30	0.0%	2,284	2,110	-7.6%
Augusta	582	561	-3.6%	964	946	-1.9%	16	14	-12.5%	1,562	1,521	-2.6%
Waterville	33	36	9.1%	675	537	-20.4%	14	16	14.3%	722	589	-18.4%
Knox	232	197	-15.1%	546	458	-16.1%	17	6	-64.7%	795	661	-16.9%
Lincoln	127	150	18.1%	352	318	-9.7%	8	5	-37.5%	487	473	-2.9%
Oxford	461	434	-5.9%	1,140	807	-29.2%	25	25	0.0%	1,626	1,266	-22.1%
Bridgton	45	37	-17.8%	119	64	-46.2%	0	0	0.0%	164	101	-38.4%
Rumford	167	175	4.8%	423	336	-20.6%	13	9	-30.8%	603	520	-13.8%
South Paris	249	222	-10.8%	598	407	-31.9%	12	16	33.3%	859	645	-24.9%
Penobscot	829	794	-4.2%	1,896	1,619	-14.6%	56	79	41.1%	2,781	2,492	-10.4%
Bangor	804	761	-5.3%	1,458	1,199	-17.8%	28	15	-46.4%	2,290	1,975	-13.8%
Lincoln	8	11	37.5%	189	187	-1.1%	21	48	128.6%	218	246	12.8%
Newport	17	22	29.4%	249	233	-6.4%	7	16	128.6%	273	271	-0.7%
Piscataquis	31	33	6.5%	128	90	-29.7%	36	9	-75.0%	195	132	-32.3%
Sagadahoc	183	180	-1.6%	470	416	-11.5%	8	14	75.0%	661	610	-7.7%
Somerset	233	270	15.9%	510	401	-21.4%	17	17	0.0%	760	688	-9.5%
Waldo	156	180	15.4%	294	349	18.7%	6	3	-50.0%	456	532	16.7%
Washington	168	121	-28.0%	347	244	-29.7%	22	20	-9.1%	537	385	-28.3%
Calais	76	48	-36.8%	161	115	-28.6%	6	5	-16.7%	243	168	-30.9%
Machias	92	73	-20.7%	186	129	-30.6%	16	15	-6.3%	294	217	-26.2%
York	1,115	915	-17.9%	3,878	2,961	-23.6%	87	105	20.7%	5,080	3,981	-21.6%
TOTAL	7,255	7,159	-1.3%	18,818	16,190	-14.0%	472	491	4.0%	26,545	23,840	-10.2%

Columns

- 2023** Number of cases having at least one charge without a disposition, and without a currently active warrant as of May 24, 2023
- 2024** Number of cases having at least one charge without a disposition, and without a currently active warrant as of May 24, 2024
- % Diff** Percent change in pending cases from 2023 to 2024. Red percentages represent an increase, green percentages a decrease.

Cases are categorized based on the most serious offense charged. Local ordinance violations filed with the courts are not included in the reported counts.

Change in Pending UCD Cases, May 2019 to May 2024

Pending cases as of May 24 of each year

UCD	FELONY			MISDEMEANOR			CIVIL VIOLATION			ALL CASES		
	2019	2024	% Diff	2019	2024	% Diff	2019	2024	% Diff	2019	2024	% Diff
Androscoggin	366	819	123.8%	1,240	1,628	31.3%	18	16	-11.1%	1,624	2,463	51.7%
Aroostook	354	519	46.6%	648	826	27.5%	30	18	-40.0%	1,032	1,363	32.1%
Caribou	69	89	29.0%	151	135	-10.6%	8	1	-87.5%	228	225	-1.3%
Fort Kent	35	86	145.7%	116	189	62.9%	10	9	-10.0%	161	284	76.4%
Houlton	112	154	37.5%	138	224	62.3%	4	5	25.0%	254	383	50.8%
Presque Isle	138	190	37.7%	243	278	14.4%	8	3	-62.5%	389	471	21.1%
Cumberland	832	1,390	67.1%	2,526	3,639	44.1%	131	68	-48.1%	3,489	5,097	46.1%
Bridgton	9	25	177.8%	190	296	55.8%	32	5	-84.4%	231	326	41.1%
Portland	806	1,345	66.9%	2,012	2,895	43.9%	80	45	-43.8%	2,898	4,285	47.9%
West Bath	17	20	17.6%	324	448	38.3%	19	18	-5.3%	360	486	35.0%
Franklin	85	159	87.1%	276	397	43.8%	15	30	100.0%	376	586	55.9%
Hancock	189	401	112.2%	467	554	18.6%	52	46	-11.5%	708	1,001	41.4%
Kennebec	305	597	95.7%	1,066	1,483	39.1%	49	30	-38.8%	1,420	2,110	48.6%
Augusta	295	561	90.2%	620	946	52.6%	29	14	-51.7%	944	1,521	61.1%
Waterville	10	36	260.0%	446	537	20.4%	20	16	-20.0%	476	589	23.7%
Knox	154	197	27.9%	283	458	61.8%	2	6	200.0%	439	661	50.6%
Lincoln	92	150	63.0%	226	318	40.7%	3	5	66.7%	321	473	47.4%
Oxford	206	434	110.7%	472	807	71.0%	16	25	56.3%	694	1,266	82.4%
Bridgton	22	37	68.2%	63	64	1.6%	3	0	-100.0%	88	101	14.8%
Rumford	88	175	98.9%	200	336	68.0%	5	9	80.0%	293	520	77.5%
South Paris	96	222	131.3%	209	407	94.7%	8	16	100.0%	313	645	106.1%
Penobscot	354	794	124.3%	1,103	1,619	46.8%	89	79	-11.2%	1,546	2,492	61.2%
Bangor	346	761	119.9%	840	1,199	42.7%	73	15	-79.5%	1,259	1,975	56.9%
Lincoln	6	11	83.3%	92	187	103.3%	8	48	500.0%	106	246	132.1%
Newport	2	22	1000.0%	171	233	36.3%	8	16	100.0%	181	271	49.7%
Piscataquis	17	33	94.1%	59	90	52.5%	7	9	28.6%	83	132	59.0%
Sagadahoc	97	180	85.6%	249	416	67.1%	21	14	-33.3%	367	610	66.2%
Somerset	138	270	95.7%	437	401	-8.2%	12	17	41.7%	587	688	17.2%
Waldo	101	180	78.2%	268	349	30.2%	5	3	-40.0%	374	532	42.2%
Washington	108	121	12.0%	192	244	27.1%	44	20	-54.5%	344	385	11.9%
Calais	40	48	20.0%	98	115	17.3%	10	5	-50.0%	148	168	13.5%
Machias	68	73	7.4%	94	129	37.2%	34	15	-55.9%	196	217	10.7%
York	717	915	27.6%	2,409	2,961	22.9%	82	105	28.0%	3,208	3,981	24.1%
TOTAL	4,115	7,159	74.0%	11,921	16,190	35.8%	576	491	-14.8%	16,612	23,840	43.5%

Columns

- 2019** Number of cases having at least one charge without a disposition, and without a currently active warrant as of May 24, 2019
- 2024** Number of cases having at least one charge without a disposition, and without a currently active warrant as of May 24, 2024
- % Diff** Percent change in pending cases from 2019 to 2024. Red percentages represent an increase, green percentages a decrease.

Cases are categorized based on the most serious offense charged. Local ordinance violations filed with the courts are not included in the reported counts.

Detailed Basis Statement for Chapter 4

The Commission is charged with providing “...high-quality representation to indigent criminal defendants, juvenile defendants and children and parents in child protective cases, consistent with federal and state constitutional and statutory obligations.” 4 M.R.S. § 1801. PDS is statutorily obligated to develop standards for the caseloads of assigned and contract counsel. 4 M.R.S. § 1804(2)(C). The right to effective counsel is protected by the United States Constitution and the Constitution of Maine. For counsel to provide high-quality, effective representation, their caseloads must be at a level that allows them to dedicate sufficient time and resources to every case. Chapter 4 is promulgated to ensure that the Commission fulfills its statutory and constitutional obligations by setting maximum caseload standards to ensure the delivery of high-quality representation to indigent persons.

Detailed Basis Statement for Chapter 301

The Commission is statutorily obligated to “Establish rates of compensation for assigned counsel...” (4 M.R.S. §1804(3)(F)) and develop “Standards for the reimbursement of expenses incurred by assigned counsel and contract counsel ...” 4 M.R.S. §1804(2)(F). Chapter 301 is promulgated to satisfy the Commission’s statutory duty to satisfy these obligations. Chapter 301 sets rates of compensation and procedures for payment to private assigned counsel, establishes rules for the reimbursement of eligible expenses, and sets fee amounts that trigger presumptive voucher review.

Detailed Basis Statement for Chapter 301-A

The Commission is charged with providing “...high-quality representation to indigent criminal defendants, juvenile defendants and children and parents in child protective cases, consistent with federal and state constitutional and statutory obligations.” 4 M.R.S. § 1801. The right to effective counsel is protected by the United States Constitution and the Constitution of Maine. For counsel to provide high-quality, effective representation, they must continue their legal education and stay current with changes in the law. The Commission is statutorily obligated to develop, “Standards for the reimbursement of expenses incurred by assigned counsel and contract counsel, including attendance at training events provided by the commission...” 4 M.R.S. §1804(2)(F). Chapter 301-A is promulgated to satisfy the Commission’s mandates to ensure the delivery of high-quality legal services and develop standards for the reimbursement of expenses counsel incur incidental to attending trainings provided by the Commission.

Detailed Basis Statement for Chapter 302:

Pursuant to 5 M.R.S.A. § 1804(3)(L) the Commission is obligated to “[e]stablish processes and procedures to acquire investigative and expert services that may be necessary for a case, including contracting for such services[.]” This amended rule provides that the request for funds must be filed according to the procedure directed by the Executive Director. This change would create flexibility on how the information is received by the Commission staff.

Maine Commission on Public Defense Services

Chapter 301-A, Payment for Attending and Reimbursement of Expenses Incidental to Attending Trainings

Response to Public Comments

Comment #1:

The Rule should distinguish between trainings in which the 75% attendance requirement will or will not be applied.

Robert Ruffner, Esq.

PDS Response:

The Commission's position is that the proposed amendment sufficiently delineates when the 75% attendance requirement will be applied. The proposed Rule provides that, "For multiday trainings, the 75% attendance requirement will be applied based on counsel's attendance at the entire training, rather than a per-day basis, unless otherwise specified in writing by the Executive Director." The Executive Director must retain some discretion because it would not be possible for the Commission to predict the substance of all future trainings.

94-649 MAINE COMMISSION ON ~~INDIGENT LEGAL~~PUBLIC DEFENSE
SERVICES

Chapter 4: CASELOAD STANDARDS FOR ASSIGNED COUNSEL AND
CONTRACT COUNSEL

Summary: The purpose of this rule is to implement 4 M.R.S. § 1804(2)(C) by prescribing “[s]tandards for assigned counsel and contract counsel case-loads” for attorneys accepting assignments to represent consumers of ~~indigent legal~~public defense services. The objective is to ensure that attorneys are not overscheduled or overworked and are able sto provide effective, high-quality, representation to each client.

SECTION 1. DEFINITIONS

- A. **Points.** ~~“Points” means:~~ the weight assigned to each case type.
- B. **Case ~~type~~Type.** ~~“Case type” means:~~ the type of matter to which the attorney is assigned.
- C. **Maximum ~~case~~Case ~~type~~Type.** ~~“Maximum case type” means: represents~~ the maximum number of cases of a particular case type that an attorney could carry at one time, if the attorney only accepted cases of that one type.
- D. **Average ~~hours~~Hours ~~per~~Per ~~case~~Case.** ~~“Hours Per Case” means:~~ the anticipated average number of hours that would be spent on a case of a particular type.
- E. **Maximum ~~A~~active ~~C~~aseload ~~L~~imit.** ~~“Maximum Active Caseload Limit” means :~~ the maximum total points across all case types that an attorney may carry on their caseload at any given time and remain eligible to receive assignments, based on the percentage of an attorney’s work hours which are dedicated to assigned cases.
- F. **Maximum ~~A~~nnual ~~H~~ours ~~L~~imit.** ~~“Maximum Annual Hours Limit” means:~~ the presumptive maximum number of hours that the Commission holds an attorney should work for consumers of ~~indigent legal~~public defense services over a rolling 12-month period, as modified by the percentage of an attorney’s work hours which are dedicated to assigned cases.
- i. The maximum annual hours limit is only used for purposes of applying the caseload limits. If an attorney’s vouchers exceed the maximum annual hours, the attorney will still be paid in accordance with Commission rules.

G. Homicide. "Homicide" has the same meaning as defined by Chapter 3 of the Commission rules.

H. Executive Director. "Executive Director" means the Executive Director of PDS or the Executive Director's decision-making designee.

I. PDS Liaison. "PDS Liaison" means the attorney who performs services for clients as part of a specialty court team but who has not otherwise been appointed to represent a specific client on a specific docket.

+

SECTION 2. CASE TYPE CALCULATION

A. Criminal & Juvenile Cases:

- i. In each docket, the charge assigned the highest points—at the time of appointment—determines the case type.
- ii. Other offenses contained within a single charging instrument are not assigned a point value.
- iii. If an attorney represents a client on multiple dockets, each docket is considered a separate case. Each separate case is assigned cumulative points.
- iv. The point value assigned is applicable to each case from assignment through disposition of the matter. Post-conviction reviews and probation violations are considered new case types, regardless of whether the attorney represented the client in the original case.

B. Child Protective Cases:

- i. The point value assigned is applicable to the entire case, from assignment through final resolution of the matter at the district court level. Points are not assigned to each distinct phase (*e.g.*, jeopardy, termination of parental rights).
- ii. If a client has multiple pending child protective docket numbers because the client has multiple children, only one docket number is assigned a point value at any one time.

C. Appeals to the Supreme Judicial Court of Maine:

- i. Appeals to the Supreme Judicial Court of Maine are considered new case types, regardless of whether the attorney represented the client in the trial court.

D. Lawyer of the Day:

- i. The point value associated with lawyer for the day duties is assigned per appearance.
 1. If counsel serves as lawyer of the day for a morning session that continues into the afternoon, that will be one appearance. If counsel serves as lawyer of the

day for a morning session and then a subsequent afternoon session with a second appearance time and list, that will be two appearances.

4.2. Lawyer of the Day points are calculated on a rolling 12-month basis. This means that all of an attorney's LOD appearances from the preceding 12 months will be included in the attorney's point calculation.

E. Specialty Courts and Projects:-PDS Liaison:

A. The point value PDS Liaison assignments are assigned points based on the hours the particular PDS Liaison spent performing PDS Liaison services in the preceding 12 months. The total hours performed as PDS Liaison are then converted to points based on 7.4 hours being worth 1 point.

~~i. assigned to specialty courts only applies to the attorney who is the defense representative for that specialty court, or who performs an administrative function for the Commission with respect to that specialty court or project, not to every attorney who has a client sentenced to the specialty court or otherwise engaged in a project.~~

~~ii. The point value assigned to specialty courts and projects applies per court appearance, regardless of duration. —~~

~~1. Court appearance is defined by an instance in which the specialty court is in session, not by the number of participants who appear in court at a particular session.~~

SECTION 3. POINTS

A.B. The Commission has established the following point values for each respective case type:

Case Type:	Points:	Maximum Case Type:	Average Hours Per Case:
<u>Homicide</u>	<u>33.75</u>	<u>8</u>	<u>248</u>
Class A Crime <u>other than Homicide</u>	4	67	29.6
Class B & C Person Crime	3	90	22.2
Class B & C Property Crime	2	135	14.8
Class D & E Crime	1	270	7.4
Probation Violation	1.25	216	9.25
Post-Conviction Review	6	45	44.4
Appeal	10	27	74
Juvenile	2	135	14.8
Lawyer of the Day (per appearance)	0.5	540	3.7
Protective Custody	5	54	37
Involuntary Commitment	1.25	216	9.25

Inv. Commit. Appeal to Superior Court	2	135	14.8
Emancipation	0.75	357	5.6
Probate	3	90	22.2
Specialty Courts (per appearance)	0.5	540	3.7
Pet. for Mod. of Release or Treatment	3	90	22.2
Petition for Release	3	90	22.2

SECTION 4. LIMITS

- A. The Commission has established a maximum active caseload limit of 270 points, based on a presumptive maximum annual hours limit of 2,000. An attorney whose caseload exceeds ~~their 270 points~~ Maximum Active Caseload Limit at any one time is ineligible to receive additional assignments to represent consumers of ~~indigent legal~~ public defense services, other than additional case assignments for existing clients, unless granted a waiver pursuant to Section 7 below.
- B. The applicable maximum caseload and hours limits are reduced proportionately, based upon the percentage of the attorney's work hours that are dedicated to Commission cases. The following chart reflects this calculation, based on an active caseload limit of 270 points and an annual limit of 2,000 billed hours:

% of Attorney's Work Hours Spent on Commission Cases:	Maximum Active Caseload Limit:	Maximum Annual Hours Limit:
100%	270	2,000
75%	202	1500
50%	135	1000
25%	67	500
10%	27	200

C. Case Closed:

- i. When a case is closed in the Commission's case management system, the points assigned to that case are deducted from the attorney's active caseload points total.

D. Deferred Disposition:

- i. When the disposition of a case in the Commission's case management system is changed to reflect a deferment, the points assigned to that case are deducted from the attorney's active caseload points total.

E. Other events that toll cases:

- i. When a case enters a status that effectively tolls its progress, the points assigned to that case may be deducted from the attorney's active caseload points total at the discretion of the Executive Director ~~or designee~~. Events that effectively toll the progress of a case may include a filing; long-term continuance; client in absent or fugitive status; - for the time after oral argument, pending a decision in a case before the Maine Supreme Judicial Court; or, similar events.

SECTION 5. APPLICATION

A. Applicable Caseload Limit:

- i. All attorneys accepting assignments to represent consumers of ~~indigent legal~~public defense services are required to annually certify to the Commission approximately what portion of their annual working hours are dedicated to assigned cases.
- ii. All attorneys who are eligible to accept case assignments on the effective date of this rule must submit their first certification not later than 30 calendar days after the effective date of this rule and by July 15th of that year and every year thereafter, as outlined below.
- iii. Attorneys who apply to accept Commission cases will be required to submit this certification prior to receiving case assignments.
- iv. Attorneys who renew their eligibility to accept Commission cases must, at the time of the submission of their renewal application, submit a new certification of approximately what portion of their annual working hours are dedicated to assigned cases. This certification must be submitted to the Commission no later than July 15th of each year.
- v. After a certification is submitted, the attorney's ~~M~~maximum ~~A~~active ~~C~~caseload ~~L~~imit will be set in the Commission's information management system.
- vi. If an attorney's workload percentages changes significantly prior to the annual certification, the attorney can ~~request that the Commission~~ adjust their ~~M~~maximum ~~Active Caseload~~ ~~and/or annual hours limits~~Limit.
- ~~1. Eligible a~~Attorneys who are under the Maximum Active Caseload Limit will always have the ability to opt out of case types and courts to reduce the number of new assignments they receive.
- vii. This certification must be completed on the form provided by the Commission.
- viii. Failure to complete the certification as required will result in suspension from all rosters until the certification has been completed to the satisfaction of the Executive Director ~~or their designee~~.

ix. Suspected falsification of a certification will result in the initiation of a Commission ~~assessment and/or~~ investigation.

~~ix.x.~~ An attorney may set their workload percentage to lower than the actual number but may not set it higher than the actual number. For example, if 75% of an attorney's workload is dedicated to assigned cases, they may set their percentage to a number lower than 75% but may not set it to a number higher than 75%.

B. Case Entry & Closing:

- i. Counsel are responsible for ensuring that all cases are opened in the Commission's case management system within 7 calendar days of ~~the receipt of receiving~~ notice of assignment in any form, and that cases are closed in the Commission's case management system within 7 days of the completion of work ~~on~~ in the file. _____

SECTION 6. EXCEPTIONS

- A. If an attorney has reached the maximum active caseload and/or annual hours limit, the attorney may exceed those limits to accept new assigned cases for a client the attorney then presently represents. The points and hours associated with the new cases will be calculated and added to the attorney's total in accordance with this rule.

SECTION 7. WAIVER

- A. An attorney may apply for a temporary waiver of the maximum active caseload limit.
- B. A temporary waiver may be granted for a period of up to 6 months.
- C. Application must be made to the Executive Director ~~or their designee~~ in the manner designated by the ~~Commission~~ Executive Director.

D. Waivers are discretionary and will only be granted for good cause.

~~D.~~ _____

- E. In determining whether to grant a waiver, the Executive Director ~~or their designee~~ may consider some or all the following factors:
 - i. The attorney's representation about their current capacity to accept additional cases;
 - ii. The reason the waiver is being requested;
 - iii. The attorney's experience level;
 - iv. Whether the attorney has support staff;

- v. Whether the attorney represents a client in multiple, related dockets which require less time to resolve;
- vi. To the extent that data is available to the Commission, whether the attorney practices primarily in courts experiencing longer average times to resolution of cases; and/or
- vii. Any other factors relevant to whether, in the discretion of the Executive Director, ~~or designee~~ the waiver should be granted.

SECTION 8. EFFECTIVE DATE

A. This Chapter becomes effective on January 1, 2024.

STATUTORY AUTHORITY:

4 M.R.S. §§ 1804(2)(C), (2)(G) and (4)(D)

EFFECTIVE DATE:

**Chapter 301: FEE SCHEDULE AND ADMINISTRATIVE PROCEDURES FOR
PAYMENT OF COURT OR COMMISSION-ASSIGNED COUNSEL**

Summary: This chapter establishes a fee schedule and administrative procedures for payment of private Court Assigned and/or Commission-Assigned Counsel. The Chapter sets a standard hourly rate and fee amounts that trigger presumptive review for specific case types. The Chapter also establishes rules for the payment of mileage and other expenses that are eligible for reimbursement by the Commission. Finally, this Chapter requires Counsel that all vouchers for attorney fees and reimbursable expenses must be submitted using the MCILSPDS electronic case management system.

SECTION 1. DEFINITIONS.

1. Court-Assigned Counsel. “Court-Assigned Counsel” means private counsel licensed to practice law in Maine, designated eligible to receive an assignment to a particular case, and initially assigned by a Court to represent a particular client in a particular matter. For the purposes of this rule, “Court-Assigned Counsel” does not include any employee of MCILSPDS.
2. Commission-Assigned Counsel. “Commission-Assigned Counsel” means private counsel licensed to practice in Maine, designated eligible to be assigned to provide a particular service or to represent a particular client in a particular matter, and assigned by MCILSPDS to provide that service or represent a client. For the purposes of this rule, “Commission-Assigned Counsel” does not include any employee of MCILSPDS.
3. Counsel. As used in this Chapter “Counsel” means a Court-Assigned Counsel or Commission-Assigned Counsel, or both.
4. MCILSPDS or Commission. “MCILSPDS” or “Commission” means the Commissioners of the Maine Commission on ~~Indigent-Legal~~Public Defense Services.
5. Executive Director. “Executive Director” means the Executive Director of MCILSPDS or the Executive Director’s decision-making designee.
6. Commission-Employed Counsel. “Commission-Employed Counsel” means counsel employed by the Commission to provide direct representation to indigent persons.

7. Home Court. “Home Court” means the physical location of the court in closest proximity to Counsel’s office or reasonably accessible private meeting space as contemplated by 94-649 C.M.R. ch. 2 § 3.
8. Commission Liaison. “Commission Liaison” means the attorney who performs services for clients as part of the specialty court team but who has not otherwise been appointed to represent a specific client in a specific docket.
9. Interim Voucher. “Interim Voucher” means any voucher submitted in a case before Counsel’s professional responsibility in a matter ends.
10. Particular Client Assignment. “Particular Client Assignment” means an assignment of Counsel to represent a particular client in a particular matter either by ~~MCILSPDS~~ or the Court under Rule 44 of the Maine Rules of Unified Criminal Procedure or Rule 88 of the Maine Rules of Civil Procedure. For the purpose of this rule a “particular matter” is a matter described by a particular docket number in a Court.
11. Days. “Days” means calendar days.
12. Paralegal. ~~A~~“~~P~~aralegal” ~~means~~ a person, qualified by education, training, or work experience who is employed or retained by a lawyer, law office, corporation, governmental agency, or other entity and who performs specifically delegated substantive legal work for which a lawyer is responsible.
13. Paralegal ~~S~~services. “Paralegal ~~S~~services” ~~constitute~~ ~~means~~ specifically delegated substantive legal work for which a lawyer is responsible.
14. Secretarial ~~S~~services. “Secretarial ~~S~~services” means staff support services other than ~~P~~aralegal ~~S~~services.
15. Resource Counsel. ~~“Resource Counsel” means Counsel~~ ~~counsel~~ designated eligible to serve as Resource Counsel pursuant to Chapter 3 of the Commission Rules.
16. Final Voucher. ~~“Final Voucher”~~ ~~–~~means and includes the voucher required by Section 6 of this Chapter to be submitted within 90 days of a terminal case event.
17. Supplemental Voucher. ~~“Supplemental Voucher”~~ means any voucher submitted for work performed by Counsel on behalf of their indigent client after the terminal case event has occurred.
18. Case. ~~“Case”~~ means ~~a~~ ~~P~~articular ~~C~~lient ~~A~~ssignment as defined by this Chapter.

SECTION 2. HOURLY RATE OF PAYMENT.

1. Effective March 1, 2023:

A rate of One Hundred Fifty Dollars (\$150.00) per hour is authorized for time spent by Counsel, and billed using MCLSPDS electronic case management system, on an assigned case on or after March 1, 2023. A rate of Eighty Dollars (\$80.00) per hour remains authorized for time spent on an assigned case between July 1, 2021 and February 28, 2023. A rate of Sixty Dollars (\$60.00) per hour remains authorized for time spent on an assigned case between July 1, 2015 and June 30, 2021. A rate of Fifty-five Dollars (\$55.00) per hour remains authorized for time spent on an assigned case between July 1, 2014 and June 30, 2015. A rate of Fifty Dollars (\$50.00) per hour remains authorized for time spent on an assigned case between the inception of the Commission and June 30, 2014.

SECTION 3. EXPENSES.

1. **Routine Office Expenses.** Routine Office expenses will not be paid by **MCILSPDS**. Routine office expenses include, but are not limited to: postage other than overnight and express postage, regular telephone, cell telephone, fax, office overhead, utilities, secretarial services, the first 100 pages of any one print or copy job, local phone calls, parking (except as stated below), and office supplies. Any and all requests for fees or reimbursement for paralegal services and secretarial services may be submitted to **MCILSPDS** only through the non-counsel cost procedures.
2. **Itemized Non-Routine Expenses.** Itemized non-routine expenses, such as discovery from the State or other agency, long distance calls (only if billed for long distance calls by your phone carrier), overnight and express postage, collect phone calls, copy costs for print or copy jobs in excess of 100 pages, beginning with the 101st page, printing/copying/binding of legal appeal brief(s), relevant in-state mileage (as outlined below), tolls (as outlined below), and fees paid to third parties, may be paid by **MCILSPDS** after review. Necessary parking fees associated with multi-day trials and hearings will be reimbursed. Parking tickets, fines, and/or fees for other violations will not be reimbursed.
3. **Travel Reimbursement.** Mileage reimbursement shall be made at the State rate applicable to confidential state employees on the date of the travel. Mileage reimbursement will be paid for travel to and from courts other than Counsel's home court. Mileage reimbursement will not be paid for travel to and from a Counsel's home court. Tolls will be reimbursed. All out-of-state travel, overnight travel, and any other expense associated with such travel including but not limited to airfare, lodging, and food, must be approved by **MCILSPDS** in writing prior to incurring the expense. Reimbursement will be subject to the State's per diem maximum rate policies with respect to the reimbursement of any expense must be approved by **MCILSPDS** in writing prior to incurring the expense. Use of the telephone, video equipment, and email in lieu of travel is encouraged as appropriate.
4. **Itemization of Claims.** Claims for all expenses must be itemized and include documentation. All expense documentation must be attached to the voucher used to seek reimbursement for the expense claimed. Claims for mileage shall be itemized and include the start and end points for the travel in question.
5. **Discovery Materials.** **MCILSPDS** will reimburse only for one set of discovery materials per assignment. If Counsel is permitted to withdraw, appropriate copies of discovery materials must be forwarded to new counsel within one week of notice of new counsel's assignment. Counsel may retain a copy of a file transferred to new counsel, or to a client. Counsel shall perform any scanning or make any copies necessary to retain a copy of the file at Counsel's expense. The client owns the file. The original file shall be tendered to new counsel, or to the client, as directed.

6. **Expert and Investigator Expenses.** Other non-routine expenses for payment to third parties, (*e.g.*, investigators, interpreters, medical and psychological experts, testing, depositions, etc.) shall be approved in advance by **MCILSPDS**. Funds for third-party services will be provided by **MCILSPDS** only upon written request and a sufficient demonstration of reasonableness, relevancy, and need in accordance with **MCILSPDS** rules and procedures governing requests for funds for experts and investigators. See Chapter 302 Procedures Regarding Funds for Experts and Investigators.
7. **Witness, Subpoena, and Service Fees.** Witness, subpoena, and service fees will be reimbursed only pursuant to the Maine Rules of Court. Counsel should not advance these costs. These costs shall not be included as a voucher expense without prior consent from the Executive Director. Fees for service of process by persons other than the sheriff shall not exceed those allowed by 30-A M.R.S. §421. The same procedure shall be followed in civil cases.

SECTION 4. PRESUMPTIVE REVIEW.

1. Vouchers submitted for amounts in excess of the applicable trigger for presumptive review will be considered for payment after review by the Executive Director or designee. Vouchers submitted in excess of the trigger for presumptive review must be accompanied by an explanation of the time spent on the matter. The explanation shall be set forth in the notes section of a voucher or invoice.
2. **Trial Court Criminal Fees**
 - A. Triggers for presumptive review, excluding any itemized expenses, are set in accordance with this subsection. Counsel must provide **MCILSPDS** with written justification for any voucher that exceeds the trigger limit.
 - (1) **Murder.** All murder cases shall trigger presumptive review.
 - (2) **Class A.** \$9,400
 - (3) **Class B and C (against person).** \$7,500
 - (4) **Class B and C (against property).** \$4,700
 - (5) **Class D and E.** \$4,700
 - (6) *[Repealed]*
 - (7) **Post-Conviction Review.** \$5,600
 - (8) **Probation Revocation.** \$2,800

- (9) **Miscellaneous (i.e., witness representation on 5th Amendment grounds, etc.).** \$1,900
 - (10) **Juvenile.** \$2,800
 - (11) **Bindover**; applicable criminal class trigger
- B. In cases involving multiple counts against a single defendant, the triggering fee shall be that which applies to the count assigned with the highest class. In cases where a defendant is charged with multiple -unrelated offenses, Counsel shall coordinate and consolidate services as much as possible.
 - C. Criminal and juvenile cases will include all proceedings through a terminal case event as defined in Section 6, below. Any subsequent proceedings, such as probation revocations, will require new application and appointment.
 - D. *[Repealed]*
 - E. Upon written request to **MCILSPDS**, a second Counsel may be assigned in a murder or other complicated case, to provide for mentorship, or for other good cause at the discretion of the Executive Director:
 - (1) the duties of each Counsel must be clearly and specifically defined, and Counsel must avoid unnecessary duplication of effort;
 - (2) each Counsel must submit a voucher to **MCILSPDS**. Counsel should coordinate the submission of vouchers so that they can be reviewed together.
3. **District Court Child Protection**
- A. Triggering fees, excluding any itemized expenses, for Counsel in child protective cases are:
 - (1) **Child protective cases.** \$10,200
 - (2) *[Repealed]*
 - B. *[Repealed]*
4. **Other District Court Civil**
- A. Triggering fees in District Court civil actions, excluding any itemized expenses, are set in accordance with this subsection. Counsel must provide

~~MCIL~~SPDS with written justification for any voucher that exceeds the triggering fee.

- (1) **Application for Involuntary Commitment.** \$1,900
- (2) **Petition for Emancipation.** \$2,800
- (3) **Petition for Modified Release Treatment.** \$1,900
- (4) **Petition for Release or Discharge.** \$1,900

5. **Law Court**

- A. *[Repealed]*
- B. *[Repealed]*
- C. Appellate: \$3,750

SECTION 5: MINIMUM FEES.

1. Counsel may bill a minimum fee of 3 hours for appearances as Lawyer of the Day, or Commission Liaison in specialty or diversionary courts or programs. A single minimum fee may be charged for each appearance at which the Counsel serves. If Counsel serves as Lawyer of the Day for a morning session that continues into the afternoon, that will be one appearance. If Counsel serves as Lawyer for the Day for a morning session and then a subsequent afternoon session with a second appearance time and list, that will be two appearances. Vouchers seeking the minimum fee must show the actual time expended and the size of the minimum fee adjustment rather than simply stating that the minimum fee is claimed. In addition to previously scheduled representation at initial appearance sessions, Lawyer of the Day representation includes representation of otherwise unrepresented parties at the specific request of the court on a matter that concludes the same day. Only a single minimum fee may be charged per appearance regardless of the number of clients consulted at the request of the court.

SECTION 6: ADMINISTRATION.

1. **Timing**
 - A. Vouchers for payment of counsel fees and expenses associated with a particular client assignment shall be submitted within 90 (ninety) calendar days of a terminal case event. Lawyer of the Day, specialty courts, Resource Counsel, and all other services rendered on behalf of the Commission and not associated with a particular client assignment shall be billed within 90 days of the service provided.

- B. The period for submitting a voucher established by subsection (1)(A) of this section shall run from the date that the terminal case event is docketed. Services are rendered on Lawyer of the Day assignments on the date Counsel appears in court and serves as Lawyer of the Day. Services in specialty courts as an Commission Liaison, Resource Counsel, or as part of any other **MCILSPDS**-sponsored program are rendered on the date the individual tasks were performed as indicated by the date associated with the time entry recorded to account for that time.
- C. Vouchers not submitted within 90 days of a terminal case event or the timeframe otherwise established by this Chapter shall be reduced according to the schedule established by subsection (3)(C) of this section below, except on a showing by Counsel that a voucher could not have been timely submitted for reasons outside the actual or constructive control of Counsel. If an exception decision is rendered by the Executive Director's decision-making designee, Counsel may submit an appeal in writing to the Executive Director on this issue only, within 10 days of the designee's decision. A decision on an exception under this section is final agency action.
- D. Counsel may submit interim vouchers not more often than once every calendar month per case.
- E. Cases must be entered in the **MCILSPDS** case management system within seven days upon receipt of the Notice of Appointment. If Counsel has been informed that they have been assigned to a case but have not received the Notice of Appointment, Counsel shall exercise due diligence in obtaining a copy of the Notice as soon as possible.

2. Terminal Case Events

- A. A terminal case event is the order, decision or judgment that signifies the final resolution of a particular client assignment such that substantive appearances before the court are no longer necessary to resolve the issues raised by the complaint, indictment, petition, appeal, or other initial pleading that provided the impetus of the case. There can be only one terminal case event in a particular client assignment. Terminal case events exclusively include:
- (1) The withdrawal of Counsel;
 - (2) The entry of dismissal of all charges or petitions; or
 - (3) Judgment or other final order or decision of the court.
 - (4) *[Repealed]*

3. Reduction for Untimely Voucher Submission

- A. The total reduction applied to vouchers submitted after the 90-day deadline is calculated by multiplying the total voucher amount by the applicable percentage according to the schedule established by subsection (3)(C) of this section.
- B. The days elapsed since the relevant terminal case event are calculated in the same manner as in determining compliance with the 90-day deadline.
- C. Reduction Schedule:

Days After Terminal Case Event	Reduction
91 – 104	10%
105 – 150	25%
151 – 180	50%
181 or more	100%

- D. Any reduction for the untimely submission of a voucher may only be applied after Counsel is provided with an opportunity to request an exception pursuant to subsection (1)(C) of this section.

4. Voucher Submission

- A. All vouchers must be submitted using **MCILSPDS** electronic case management system and comply with all instructions for use of the system.
- B. All time on vouchers shall be detailed and accounted for in .10 of an hour increments rounding up to the nearest .10 of an hour. The purpose of each time entry must be specifically stated by using the most relevant time entry category and providing a reasonably descriptive comment/note for each time entry.
- C. Unless otherwise stated in this Chapter, Counsel may only record and seek payment for actual time spent working on Counsel's appointed or assigned cases using the **MCILSPDS** electronic case management system. Counsel may not record a minimum amount for any time entries notwithstanding any previous policy or practice of the Commission.
- D. All expenses claimed for reimbursement must be fully itemized on the voucher. Copies of receipts for payments to third parties shall be retained and appended to the voucher.
- E. If a particular client assignment requires additional, supplemental work be performed by Counsel after the terminal case event occurs, Counsel may submit a supplemental voucher for the work performed after the final

voucher is submitted. All time included on a supplemental voucher must be billed within a reasonable period of time after the task was completed. Notwithstanding any other provision of this Chapter, any time included on a supplemental voucher that is not submitted within a reasonable period of time is not payable except on a showing by Counsel that the voucher could not have been timely submitted for reasons outside the actual or constructive control of Counsel.

- F. Time for work performed by Counsel before the terminal case event occurred may not be included on a supplemental voucher.
- G. Time for work performed by Counsel after the terminal case event occurred may be included on a final voucher. If a final voucher is submitted greater than 90 days after a terminal case event, the entire voucher will be reduced according to the reduction schedule established by this Chapter including any time for work performed after the terminal case occurred.

5. **Payments & Reimbursement of Expenses for Attending Training**

- A. Payments to attend and reimbursement of expenses incurred incidental to attending trainings are governed by Chapter 301-A.
- B. Vouchers submitted in accordance with Chapter 301-A shall be submitted within 90 calendar days of attending the training.
- C. Notwithstanding any other provision of this Chapter or other Commission rules, untimely vouchers for payment or reimbursement of expenses governed by Chapter 301-A will not be paid.

SECTION 7. RESOURCE COUNSEL.

- 1. Resource Counsel may bill pursuant to Section 6(4), above, for any billable tasks outlined in subsection 2 and subject to the limitations in subsection 3 of this section.
- 2. **Billable Tasks:**
 - A. Meeting with Court-Assigned, Commission-Assigned, and Commission-Employed Counsel upon the written request of the Executive Director.
 - B. Meetings and other communications with Court-Assigned, Commission-Assigned, and Commission-Employed Counsel about the practice of law or ethical or legal issues related to assigned cases.
 - C. Assisting Court-Assigned, Commission-Assigned, and Commission-Employed Counsel with drafting documents and with litigation preparation for assigned cases.

- D. Meetings and other communications with members of the judiciary or prosecution about matters pertaining to indigent representation upon the written request of the Executive Director.
- E. Preparing and presenting trainings at the request of the Executive Director or Training & Supervision staff.
- F. In-court observation of Counsel if requested by the Executive Director or MCILSPDS Training & Supervision staff.
- G. Responding to calls, emails, and/or webform submissions from individuals who contact MCILSPDS through the MCILSPDS hotline and/or website. This includes:
 - (1) Communication with the person who called;
 - (2) Communication with others to address the individual's matter; and
 - (3) Limited scope representation undertaken to resolve urgent issues for indigent persons concerning matters for which the person would be entitled to appointment of Counsel.
- H. Other tasks as deemed appropriate by the Executive Director and with prior written authorization of the Executive Director.

3. **Limitations:**

- A. Any services rendered as Resource Counsel must be strictly limited to matters relating to assigned—not retained or pro bono—cases.
- B. Resource Counsel may not bill for services rendered to an attorney who is not a Court-Assigned, Commission-Assigned, or Commission-Employed counsel.
- C. If Resource Counsel serves as co-counsel on an assigned case, then Resource Counsel must enter the case in the Commission's electronic case management system and bill for it as a typical case, not as Resource Counsel.
- D. Prior to preparing a training at the Commission's request, Resource Counsel must have prior written authorization from the Executive Director or MCILSPDS Training & Supervision staff, which must include a cap on the maximum number of hours the Commission will pay Resource Counsel to prepare and present the training.
- E. Resource Counsel must be licensed to practice law in Maine and eligible to accept MCILSPDS case assignments at all times while performing

Resource Counsel duties. Resource Counsel will not be paid for work done unless Resource Counsel is licensed to practice law in Maine and eligible to accept MCILSPDS case assignments.

- F. As a condition of the opportunity to serve as Resource Counsel, Resource Counsel must maintain detailed records of the services they perform and provide copies of those records to MCILSPDS upon request. At a minimum, those records must include:
- (1) The number of attorneys to whom Resource Counsel services are rendered; and
 - (2) A running log of the number of hours Resource Counsel spends on:
 - (a) Rendering general Resource Counsel services to attorneys;
 - (b) Rendering client-specific services; and
 - (c) Preparing and presenting trainings.
- G. Resource Counsel will not be paid for billing more than 40 hours in one seven-day period.
- H. Resource Counsel do not develop any property interest in the opportunity to serve in that role. There is no guarantee that MCILSPDS will provide any number of hours to Resource Counsel.
- I. Resource Counsel may not incur any expenses of any type on behalf of MCILSPDS without prior written approval from the Executive Director.
4. Court-Assigned and Commission-Assigned Counsel may bill pursuant to Section 6(4), above, for time spent receiving the services of Resource Counsel.

SECTION 8. NON-PAYMENT BASED ON MISCONDUCT.

1. If Counsel submits a voucher for work completed that, upon investigation, the Executive Director concludes violated any of the Maine Rules of Professional Conduct or Commission Rules, the voucher may be rejected—in whole or in part—and the Executive Director may deny payment for the same. Decision of the Executive Director pursuant to this subsection constitutes final agency action.

STATUTORY AUTHORITY:

4 M.R.S. §§ 1804(2)(F), (3)(B), (3)(F) and (4)(D)

EFFECTIVE DATE:

August 21, 2011 – filing 2011-283

AMENDED:

March 19, 2013 – filing 2013-062

July 1, 2013 – filing 2013-150 (EMERGENCY)

October 5, 2013 – filing 2013-228

July 1, 2015 – filing 2015-121 (EMERGENCY)

June 10, 2016 – filing 2016-092

July 21, 2021 – filing 2021-149 (EMERGENCY)

January 17, 2022 – filing 2022-007

June 23, 2022 – filing 2022-100 (Final adoption, major substantive)

February 24, 2023 – filing 2023-028 (Emergency adoption)

September 1, 2023 – filing 2023-122 (Final adoption, major substantive)

Chapter 301-A: PAYMENT FOR ATTENDING AND REIMBURSEMENT OF EXPENSES INCIDENTAL TO ATTENDING TRAININGS

Summary: This Chapter establishes eligibility for payment to private court and/or Commission-Assigned Counsel for attending and reimbursement of expenses incidental to attending trainings. This Chapter also sets forth administrative procedures for payment and reimbursement of eligible training expenses. This Chapter supersedes the Payments for Attending Training Policy, which was promulgated on May 15, 2023.

SECTION 1. DEFINITIONS

1. Court-Assigned Counsel. “Court-Assigned Counsel” means private counsel licensed to practice law in Maine, designated eligible to receive an assignment to a particular case, and initially assigned by a Court to represent a particular client in a particular matter. For the purposes of this rule, “Court-Assigned Counsel” does not include any employee of MCILSPDS.
2. Commission-Assigned Counsel. “Commission-Assigned Counsel” means private counsel licensed to practice in Maine, designated eligible to be assigned to provide a particular service or to represent a particular client in a particular matter, and assigned by MCILSPDS to provide that service or represent a client. For the purposes of this rule, “Commission-Assigned Counsel” does not include any employee of MCILSPDS.
3. Counsel. As used in this Chapter, “Counsel” means a Court-Assigned Counsel or Commission-Assigned Counsel, or both.
4. PDMCILS or Commission. “MCILSPDS” or "Commission" means the Commissioners of the Maine Commission on Indigent Legal Public Defense Services.
5. Training Provided by the Commission. “Training Provided by the Commission” means and includes any training, whether or not that training qualifies for CLE credit through the Board of Overseers, that is:
 - a. Prepared and/or presented by MCILSPDS staff at a MCILSPDS sponsored event; or,
 - b. Prepared and/or presented on behalf of, or at the direction of, MCILSPDS or its staff; and,
 - c. Is presented live, including live webcast; or,
 - d. Is presented through proctored playback of a recording, in whole or in part.

6. Executive Director. "Executive Director" means the Executive Director of MCHLSPDS or the Executive Director's decision-making designee.
7. On Camera. "On Camera" means that Counsel's camera is turned on, pointing toward Counsel, and Counsel's entire face is visible on the screen.

SECTION 2. ELIGIBILITY

1. The prerogative to request payment or reimbursement pursuant to this Chapter is limited to Counsel who—on the date the training occurs—are eligible to receive assignments through the MCHLSPDS system and are representing five or more assigned clients.
2. Payment or reimbursement pursuant to this Chapter will only be made to eligible Counsel for payment to attend or reimbursement of expenses incidental to attending a training provided by the Commission.

SECTION 3. PAYMENT

1. To receive payment for attending a training, counsel must attend personally, be engaged with the training, and not otherwise engaged or multitasking during its presentation. Driving while attending a training is strictly prohibited. Counsel will be removed from the training and not paid for any training time while driving. Where a training may be provided remotely, counsel must be on camera during the entire presentation absent specific direction from the presenter to the contrary.
2. Notwithstanding any other provisions of this or other Commission rules, payment will only be made if counsel attends at least 75% of the instructional time of a training provided by the Commission. No payment will be made to counsel who attend less than 75% of the instructional time.
 - 2.a. For multiday trainings, the 75% attendance requirement will be applied based on counsel's attendance at the entire training, rather than a per-day basis, unless otherwise specified in writing by the Executive Director. This subsection shall be applicable retroactively to January 1, 2024.
3. Payment will be made at the authorized rate in effect on the date of the training.
4. Payment will be made for actual training time attended, exclusive of breaks.
5. Payment will also be made at the then-current hourly rate for time spent traveling to and from the training.
6. Payment will be made in increments of .1 hours and only for time spent attending the training or traveling to and from the training. Counsel may not record, or seek payment for, any time spent opening or closing the case file as described in section 6(3), below.

SECTION 4. REIMBURSABLE EXPENSES

1. Reimbursable expenses include only:
 - a. Training registration fees.
 - b. Mileage. Mileage reimbursement shall be made at the State rate applicable to confidential state employees on the date of the travel. Mileage is calculated based upon the distance between the attorney's office address, or the location from which the attorney departs for the training, whichever is nearer to the training, and the location of the training. If multiple attorneys travel to a training in a single vehicle, only one attorney may be reimbursed for the mileage.
 - c. Tolls. Tolls for travel to and from the training. The attorney must have a receipt
 - d. Hotels. Hotel stays necessary to attend a training are reimbursable at the [Standard Rate](#), as set by the U.S. General Services Administration, that is effective on the date of the hotel stay.
 - i. Counsel must receive prior written authorization from [MCILSPDS](#) for hotel stays to be reimbursable.
 - ii. Absent exceptional circumstances and at the discretion of the Executive Director, hotel stays for attending trainings will not be authorized if the training is less than 35 miles from Counsel's office.
 - e. Parking. Fees paid to park at a training.

SECTION 5. MAXIMUM.

1. Counsel is only eligible for payment under this Chapter for a maximum of 40 hours per fiscal year, beginning on July 1, 2023. There is no maximum number of billable hours pursuant to this Chapter prior to July 1, 2023.
2. The 40-hour maximum includes time spent attending and travel for the purpose of attending eligible trainings.
3. For purposes of calculating the maximum billable hours, the relevant date is the date of the training for which counsel is seeking payment.

SECTION 6. ADMINISTRATION.

1. Enforcement. [MCILSPDS](#) staff reserve the right to deny Counsel access to a training or to remove Counsel from a training to enforce compliance with this policy, Commission Rules, or eligibility requirements for a particular training. If Counsel is removed from a training by [MCILSPDS](#) staff, they will not be paid for the period during which they were removed, nor will that period count toward the 75% attendance provision of Section 3(2), above.
2. Itemization of Claims. Claims for all expenses must be itemized and include documentation. Claims for mileage shall be itemized and include the start and end points for the travel in question.

3. Payment will be made through the MCILSPDS electronic case management system. To request payment, counsel must:
 - a. Create a “case” in the MCILSPDS electronic case management system for each training for which counsel requests payment or reimbursement. Do not enter a case in the MCILSPDS electronic case management system until after the training has occurred. If one training lasts multiple days, only one case should be entered for the entire training;
 - b. Court must be set to “Training”;
 - c. The file type must be set to “TRAIN”;
 - d. Client information must reflect counsel’s first and last names. Other client demographic information does not need to be completed;
 - e. The docket number will be provided at the training and must be entered precisely as provided or payment will not be available;
 - f. Assignment date must be the first date of the training and the disposition date must ~~both~~ be the last date of the training for which payment is sought;
 - g. The charge sequence number must be: 100031;
 - h. The disposition must be “Attend Training”;
 - i. The time entry for attendance must be “Attend MCILSPDS Training”;
 - j. The time entry for travel must be “Training Travel”;
 - k. Expenses, if any, must be itemized; and
 - l. Then create and submit a voucher.

~~4.~~ 4. Notwithstanding any other provision of any MCILS-Commission rule or policy, vouchers for payment for attending a training must be submitted within 90 days of the training without exception. Untimely vouchers for payment or reimbursement of expenses governed by this Chapter will not be paid. Attorneys are encouraged to submit their vouchers at the conclusion of the training without delay.

~~5.~~ 5. The opportunity to request payment for attending trainings does not create a right to attend any specific number of trainings, or any particular training. There are, or may be, limits on the number of people who may attend a particular training. There are, or may be, limits on the eligibility to attend a particular training.

STATUTORY AUTHORITY: 4 M.R.S. §1804(2)(F),

EFFECTIVE DATE:

Chapter 302: PROCEDURES REGARDING FUNDS FOR EXPERTS AND INVESTIGATORS

Summary: This Chapter establishes the procedures for attorneys and pro se parties to request funds for experts and investigators from the Commission and provides that the Executive Director shall make the determination to grant or deny the request. It also establishes the procedures for payment of expert and investigator services authorized in this Chapter.

SECTION 1. DEFINITIONS

1. **Executive Director.** "Executive Director" means the Executive Director of the Maine Commission on ~~Indigent Legal~~ Public Defense Services or the Executive Director's decision-making designee.
2. **MCHSPDS or Commission.** "~~MCHSPDS~~" or "Commission" means the Maine Commission on ~~Indigent Legal~~ Public Defense Services.

SECTION 2. APPLICATION FOR FUNDS FOR EXPERT AND INVESTIGATIVE ASSISTANCE

1. **Who May Apply.** Any person who is entitled to representation at state expense under the United States Constitution or the Constitution or laws of Maine and who has been found indigent by a state court or who claims to be without sufficient funds to employ necessary expert or investigative assistance may file, on ~~his or her~~ their own or through ~~his or her~~ their attorney, applications to ~~MCHSPDS~~ for funds to obtain expert or investigative assistance or both.
2. **Application Directed to the Executive Director.** An application for funds to obtain necessary expert or investigative assistance or both shall be directed to the Executive Director.
3. **Form and Contents of Application.** The application shall:
 - A. ~~Be completed on a form designated by the Executive Director.~~
 - A.B. ~~Be in writing and include a the case caption setting forth the court in which the case is pending, and the docket number, and the parties;~~
 - B.C. Set forth the date on which the applicant was found indigent or, if the applicant has not been found indigent, set forth the basis on which the applicant claims to be without sufficient funds. For persons not found indigent by a court, the application shall be supported by an affidavit demonstrating financial need;
 - C.D. Describe the nature of the proceeding for which assistance is sought, and in proceedings with respect to adult or juvenile crimes, specifically identify ~~each pending charge and class of each pending charge;~~ the name and class or statutory

cite of the most serious charge, or of the charge which is the basis for the request for funds.

~~D.E.~~ Set forth a clear and concise statement of the reasons why the assistance is necessary for adequate presentation of the applicant's claim or defense; and

~~E.F.~~ Set forth a clear and concise statement as to the work that will be done by the expert and/or investigator.

4. **Electronic Filing Permitted.** The application must be filed with MCILSPDS according to the procedure directed by the Executive Director. Any procedure developed by the Executive Director shall be designed to protect privileged information from disclosure, and to promote the efficient handling of funds requests by Commission staff.

A. ~~Email. Applications filed by email shall be directed to the Executive Director at the email address for the Executive Director listed on the MCILSPDS website. The application shall be transmitted as an attached document and not set forth in the body of the email. Electronic documents that reflect the signature of the applicant or the applicant's attorney are preferred but are not required.~~ **Repealed.**

B. *Repealed.*

C. *Repealed.*

SECTION 3. DETERMINATION BY THE EXECUTIVE DIRECTOR

The Executive Director shall review the application and the grounds therefore and, in the Executive Director's sole discretion, shall either grant the funds applied for, in whole or in part, or deny the application. When granting an application in whole or in part, the Executive Director may condition the expenditure of funds as set forth in MCILSPDS Rule Chapter 301, *Fee Schedule and Administrative Procedures for Payment of Commission Assigned Counsel*, and other MCILSPDS procedures. The determination of the Executive Director shall be in writing and may be communicated to the applicant by electronic means.

SECTION 4. PAYMENT FOR EXPERT OR INVESTIGATIVE ASSISTANCE

Upon receipt of an invoice for services for which the expenditure of funds has previously been authorized, the applicant or the applicant's attorney shall forward the invoice to MCILSPDS for processing and payment, together with the relevant authorization. Attorneys shall comply with any procedures established by the Executive Director. The applicant or the applicant's attorney must state that the services were satisfactory and that all applicable reports and other information have been received. The applicant or the applicant's attorney should review the invoice to verify that it conforms to MCILSPDS requirements and that the appropriate rates for services and mileage were billed. The applicant or the applicant's attorney is not required by the Commission to advance funds to investigators or other service providers, subject to any professional conduct requirements. The applicant should make every effort to ensure that the service providers include a State of Maine Vendor Code number on each invoice.

SECTION 5. Transition

Repealed.

STATUTORY AUTHORITY:

4 M.R.S. §§ 1804(2)(G), (3)(A) and (4)(D)

EFFECTIVE DATE:

August 21, 2011 – filing 2011-284

AMENDED:

August 1, 2021 – filing 2021-150