

## 131st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2023

**Legislative Document** 

No. 41

S.P. 33

In Senate, January 4, 2023

An Act to Increase the Hourly Reimbursement Rate of the Maine Commission on Indigent Legal Services Lawyers to \$150 per Hour

(EMERGENCY)

Reference to the Committee on Judiciary suggested and ordered printed.

DAREK M. GRANT Secretary of the Senate

Presented by Senator KEIM of Oxford. Cosponsored by Representative MORIARTY of Cumberland.

1 **Emergency preamble.** Whereas, acts and resolves of the Legislature do not 2 become effective until 90 days after adjournment unless enacted as emergencies; and 3 Whereas, the Maine Commission on Indigent Legal Services exists to provide legal representation to Maine citizens who are entitled to counsel at state expense under the 4 5 United States Constitution or under the Constitution of Maine or the Maine Revised Statutes: and 6 7 Whereas, at current reimbursement rates the commission cannot recruit and retain a 8 sufficient number of attorneys to represent indigent clients entitled to counsel; and 9 Whereas, this has created a shortage of attorneys rostered with the Maine Commission on Indigent Legal Services, which cannot meet the demand for counsel; and 10 Whereas, in the judgment of the Legislature, these facts create an emergency within 11 12 the meaning of the Constitution of Maine and require the following legislation as 13 immediately necessary for the preservation of the public peace, health and safety; now, 14 therefore, Be it enacted by the People of the State of Maine as follows: 15 Sec. 1. Appropriations and allocations. The following appropriations and 16 allocations are made. 17 18 INDIGENT LEGAL SERVICES, MAINE COMMISSION ON 19 Maine Commission on Indigent Legal Services Z112 20 Initiative: Appropriates ongoing funding to increase attorney reimbursement for indigent legal services from \$80 per hour to \$150 per hour. 21 22 **GENERAL FUND** 2023-24 2024-25 23 All Other \$17,985,730 \$17,985,730 24 25 \$17,985,730 GENERAL FUND TOTAL \$17,985,730 26 **Emergency clause.** In view of the emergency cited in the preamble, this legislation 27 takes effect when approved. 28 SUMMARY This bill provides General Fund appropriations to the Maine Commission on Indigent 29 30 Legal Services to increase the reimbursement rate for indigent legal services from \$80 per 31 hour to \$150 per hour.