



# 132nd MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2025

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Legislative Document

No. 1796

S.P. 698

In Senate, April 24, 2025

**An Act to Implement the Recommendations of the Maine  
Commission on Public Defense Services to Clarify the Types of  
Cases for Which the Commission Is Responsible for Providing  
Counsel**

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Reported by Senator CARNEY of Cumberland for the Joint Standing Committee on  
Judiciary pursuant to the Maine Revised Statutes, Title 4, section 1804, subsection 3, paragraph  
H.

Reference to the Committee on Judiciary suggested and ordered printed pursuant to Joint  
Rule 218.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 4 MRSA §1802, sub-§4, ¶B**, as amended by PL 2019, c. 427, §1, is further  
3 amended to read:

4 B. An indigent party in a civil case in which the United States Constitution or the  
5 Constitution of Maine or federal or state law, except Title 15, section 3506-A,  
6 subsection 1 or any provision of Title 18-C, requires that the State provide  
7 representation;

8 **Sec. 2. 4 MRSA §1802, sub-§4**, as amended by PL 2021, c. 676, Pt. A, §3, is further  
9 amended by amending the first blocked paragraph to read:

10 "Indigent legal services" does not include the services of a guardian ad litem appointed  
11 pursuant to any provision of Title 18-C or pursuant to Title 22, section 4005, subsection 1.

12 **SUMMARY**

13 This bill is reported out by the Joint Standing Committee on Judiciary to implement  
14 recommendations of the Maine Commission on Public Defense Services. The committee  
15 has not taken a position on the substance of this bill. By reporting this bill out, the  
16 committee is not suggesting and does not intend to suggest that it agrees or disagrees with  
17 any aspect of this bill. The committee is reporting the bill out for the sole purpose of having  
18 a bill printed that can be referred to the committee for an appropriate public hearing and  
19 subsequent processing in the normal course. The committee is taking this action to ensure  
20 clarity and transparency in the legislative review of the proposals contained in the bill.

21 The bill clarifies that the court, not the commission, is responsible for providing  
22 counsel to a juvenile who files a petition for emancipation or for any party entitled to  
23 counsel at public expense in a proceeding under the Maine Uniform Probate Code. It also  
24 clarifies that the court, not the commission, is responsible for providing the services of a  
25 guardian ad litem appointed at public expense in a proceeding under the Maine Uniform  
26 Probate Code.