



# 130th MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2021

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Legislative Document

No. 1686

H.P. 1255

House of Representatives, May 6, 2021

### **An Act To Implement a Geographically Limited Public Defender Office**

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Reported by Representative HARNETT of Gardiner 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 cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

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

2 **Sec. 1. 4 MRSA §1804, sub-§3, ¶A,** as enacted by PL 2009, c. 419, §2, is amended  
3 to read:

4 A. Develop and maintain a system that ~~uses~~ may employ attorneys, use appointed  
5 private attorneys, ~~contracts~~ and contract with individual attorneys or groups of  
6 attorneys ~~and~~. The commission shall consider other programs necessary to provide  
7 quality and efficient indigent legal services;

8 **Sec. 2. Appropriations and allocations.** The following appropriations and  
9 allocations are made.

10 **INDIGENT LEGAL SERVICES, MAINE COMMISSION ON**

11 **Maine Commission on Indigent Legal Services Z112**

12 Initiative: Establishes and provides funding for 4 Public Service Manager III positions, 5  
13 Public Service Manager II positions, 2 Public Service Coordinator I positions, 2 Clinical  
14 Social Worker positions, 3 Paralegal positions and one Office Specialist II position to  
15 establish a public defender office in Kennebec County. These positions begin January 1,  
16 2022.

| 17 <b>GENERAL FUND</b>           | <b>2021-22</b>     | <b>2022-23</b>     |
|----------------------------------|--------------------|--------------------|
| 18 POSITIONS - LEGISLATIVE COUNT | 17,000             | 17,000             |
| 19 Personal Services             | \$980,636          | \$2,024,035        |
| 20 All Other                     | \$157,724          | \$157,724          |
| 21                               |                    |                    |
| 22 GENERAL FUND TOTAL            | <u>\$1,138,360</u> | <u>\$2,181,759</u> |

23 **SUMMARY**

24 This bill creates a Kennebec County public defender office, beginning January 1, 2022.  
25 As a first step in providing indigent legal services through an office of a public defender,  
26 this bill provides funding to the Maine Commission on Indigent Legal Services for  
27 positions to establish the office. The bill also authorizes the commission's system for  
28 providing indigent legal services to employ attorneys.