



Maine State Legislature
OFFICE OF POLICY AND LEGAL ANALYSIS

www.mainelegislature.gov/opla
13 State House Station, Augusta, Maine 04333-0013
(207) 287-1670

MEMORANDUM

TO: Joint Standing Committee on Judiciary
FROM: Janet Stocco, Legislative Analyst
DATE: February 16, 2023
RE: MCILS-Related Legislation Enacted by 130th Legislature and
Update on Judiciary-Committee-proposed new MCILS Initiatives in 130th Legislature

Chart 1: The first attached chart sets forth the legislation related to the Maine Commission on Indigent Legal Services that was enacted by the 130th Legislature.

Chart 2: The second attached chart explains whether the MCILS-related new initiative requests made by the Judiciary Committee to the Appropriations and Financial Affairs Committee during the 130th Legislature were enacted.

Supporting Materials (in chronological order by date of enactment)

- P.L. 2021, ch. 1 (LD 220) [Supplemental Budget from 130th Legislature, 1st Regular Session]
- P.L. 2021, ch. 29 (LD 715) [Biennial Budget from March 31, 2021]
 - March 18, 2021 Memo from Judiciary Committee to AFA Committee re: MCILS Initiatives requested for inclusion in the Biennial Budget (LDs 221 and 715)
- P.L. 2021, ch. 398 (LD 221) [Biennial Budget from July 1, 2021] (excerpts from enacted law related to MCILS and summary of MCILS-related language parts from the AFA Committee amendment)
- P.L. 2021, ch. 481 (LD 1687), An Act To Improve the Provision of Indigent Legal Services [enacted law and fiscal note, AFA amendment and fiscal note, majority committee amendment, bill]
- P.L. 2021, ch. 483 (LD 1733) [ARPA Funding Bill]
- Resolves 2021, ch. 164 (LD 1926) [Final approval of rules increasing attorney reimbursement from \$60/hour to \$80/hour, clarifying eligible expenses and establishing fee levels for voucher review]
- P.L. 2021, ch. 635 (LD 1995) [Supplemental Budget from 130th Legislature, 2nd Regular Session]
 - April 5, 2022 Memo from Judiciary Committee to AFA Committee re: MCILS Initiatives requested for inclusion in the Supplemental Budget (LD 1995)
- P.L. 2021, ch. 720 (LD 1686), An Act To Establish Public Defender Positions and Provide Support for Indigent Legal Services Providers [enacted law, AFA amendment, majority committee amendment, bill]

Chart 1: MCILS-Funding-Related Legislation Enacted During 130th Legislature

<p>Public Law 2021, chapter 1 (LD 220)</p>	<p>An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2021</p>	<p>Supplemental Budget (1st Regular Session) Enacted: March 17, 2021</p>	<p>Sec. A-19: Increased Other Special Revenue Funds allocation by \$2,636,396 “due to the cost of indigent legal services.”</p> <p>Sec. S-1: Authorized transfer of any remaining funds in MCILS Reserve account to the MCILS account.</p>
<p>Public Law 2021, chapter 29 (LD 715)</p>	<p>An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2022 and June 30, 2023</p>	<p>Biennial Budget (1st Regular Session) Enacted: March 31, 2021</p>	<p>Did not increase MCILS funding above the baseline budget.</p>
<p>Public Law 2021, chapter 398 (LD 221)</p>	<p>An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2021, June 30, 2022 and June 30, 2023</p>	<p>Biennial Budget (1st Special Session) Enacted: July 1, 2021</p>	<p>Sec. A-22:</p> <ul style="list-style-type: none"> • Increased salary range of Executive Director from 52 to 37 (Approx. \$32,000 per fiscal year) • Allocated additional funding to reflect projected costs (\$2,804,980 per fiscal year) • Established 4 Public Service Manager II positions, 2 paralegal positions to staff the attorney supervision and auditing subdivisions (Approx. \$720,000 per fiscal year) • Allocated funding to increase attorney reimbursement rate from \$60 to \$80 (Approx. \$5.8 million per fiscal year) <p>Part EEE: Allows MCILS funding to carry forward each year</p> <p>Part FFF: Allows MCILS to adopt qualification and training standards through routine technical rules instead of major substantive rules</p> <p>Part GGG: Changes the salary range for the MCILS Executive Director</p> <p>Part JJJJ-1: Authorizes General Fund transfer of the following to MCILS:</p> <ul style="list-style-type: none"> • \$9,293,691 on June 30, 2022; and • \$9,288,769 on June 30, 2023

Chart 1: MCILS-Funding-Related Legislation Enacted During 130th Legislature (continued)

			<p>Part JJJ-2: Authorizes General Fund transfer of the following to JB (GALs):</p> <ul style="list-style-type: none"> • \$972,234 on June 30, 2022; and • \$972,234 on June 30, 2023 <p>Part JJJ-3: Directed MCILS to submit a report to the Judiciary Committee and to the GOC by January 2022 on the effect of the fiscal changes made in this Act.</p>
<p>Public Law 2021, chapter 481 (LD 1687)</p>	<p>An Act To Improve the Provision of Indigent Legal Services</p>	<p>Bill reported out of Judiciary Committee (and referred back)</p> <p>Enacted: July 15, 2021</p>	<p>This Act, which did not include funding:</p> <ul style="list-style-type: none"> • Authorized MCILS to directly employ attorneys to provide legal services to indigent clients • Required MCILS to establish an audit system and allow recoupment of payments when appropriate. It also granted MCILS subpoena power to conduct the audits. <p><i>Note:</i> Originally, the bill also included (1) changing the salary of the Executive Director; (2) changing attorney qualification and training rules to routine technical rules; (3) allowing any remaining MCILS funding to carry forward from FY 20-21 & 21-22 to FY 22-23; (4) funding an increase in the hourly rate for attorneys from \$60 to \$80; (5) providing funding for an appellate public defender division.</p> <ul style="list-style-type: none"> • The majority committee amendment removed item (5), the appellate division. • Items (1)-(4) were removed by an AFA-derived amendment because these items had already been included in the biennial budget, LD 221.
<p>Public Law 2021, chapter 483 (LD 1733)</p>	<p>An Act To Provide Allocations for the Distribution of State Fiscal Recovery Funds</p>	<p>“ARPA Bill”</p> <p>Enacted: July 19, 2021</p>	<p>Sec. A-1 (page 53): Allocated \$4,000,000 in one-time ARPA funding “for counsel fees due to a backlog of cases caused by the COVID-19 pandemic.”</p>
<p>Resolves 2021, chapter 163 (LD 1926)</p>	<p>Resolve, Regarding Legislative Review of Portions of Chapter 301: Fee Schedule and Administrative Procedures for Payment of Commission Assigned Counsel, a Major Substantive Rule of the Maine Commission on Indigent Legal Services</p>	<p>Approval of MCILS major substantive rules</p>	<p>The major-substantive rules finally approved by the Legislature through this resolve included:</p> <ul style="list-style-type: none"> • Changing the attorney reimbursement rate from \$60 to \$80 (the rule already had been amended as an emergency measure in July 2021);

Chart 1: MCILS-Funding-Related Legislation Enacted During 130th Legislature (continued)

		Signed by Governor: April 20, 2022	<ul style="list-style-type: none"> • Clarifying criteria for payment of mileage and other expenses eligible for reimbursement • Establishing fee amounts, based on case type, that trigger presumptive review of vouchers • Establishing a deadline for voucher submittal • Requiring vouchers to be submitted through the MCILS electronic case management system
Public Law 2021, chapter 635 (LD 1995)	An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2022 and June 30, 2023	Supplemental Budget (2nd Regular Session) Enacted: April 20, 2022	Did not contain any MCILS initiatives.
Public Law 2021, chapter 720 (LD 1686)	An Act To Establish Public Defender Positions and Provide Support for Indigent Legal Services Providers	Bill reported out of Judiciary Committee (and referred back) Enacted: May 3, 2022	<p>This Act:</p> <ul style="list-style-type: none"> • Established and funded 5 public defender positions “to be dispatched in the State where needed” (\$965,897 from General Fund in FY 22-23); and • Provided ongoing funds for a contract for online research access for up to 300 rostered attorneys (\$275,580 from General Fund in FY 22-23). <p><i>Note:</i> The original bill would have provided for a 9-attorney public defender office with 2 investigators, 2 social workers, 3 paralegals and one office staff person within Kennebec County (the cost was \$2,131,759 in FY22-23 after a correction was made in the majority committee amendment).</p> <ul style="list-style-type: none"> • The AFA-derived amendment reduced the number of public defender positions, removed support staff and made the public defenders available where needed, rather than specifically in Kennebec County. It also added the funding for legal research services.

Chart 2: Judiciary Committee’s MCILS New Initiative Requests to AFA Committee During 130th Legislature

March 18, 2021 Memo — Re: Biennial Budget (LDs 221 and 715)																
<p>Initiative 1: Basic Central Office Staffing</p> <p>Initiative: Provides for 4 attorneys (Public Service Manager II) and 2 paralegals to lead and staff the Attorney Supervision Subdivision and the Auditing Subdivision</p>		<p>Included in biennial budget Public Law 2021, chapter 398, § A-22 (LD 221).</p>														
	<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 60%;"></th> <th style="text-align: right; width: 20%;">2021-22</th> <th style="text-align: right; width: 20%;">2022-23</th> </tr> </thead> <tbody> <tr> <td>Positions</td> <td style="text-align: right;">(6)</td> <td style="text-align: right;">(6)</td> </tr> <tr> <td>Personal Services</td> <td style="text-align: right;">\$670,116</td> <td style="text-align: right;">\$691,559</td> </tr> <tr> <td>All Other</td> <td style="text-align: right;"><u>\$47,073</u></td> <td style="text-align: right;"><u>\$27,573</u></td> </tr> <tr> <td style="text-align: right;">Total costs:</td> <td style="text-align: right;">\$717,189</td> <td style="text-align: right;">\$719,138</td> </tr> </tbody> </table>			2021-22	2022-23	Positions	(6)	(6)	Personal Services	\$670,116	\$691,559	All Other	<u>\$47,073</u>	<u>\$27,573</u>	Total costs:	\$717,189
	2021-22	2022-23														
Positions	(6)	(6)														
Personal Services	\$670,116	\$691,559														
All Other	<u>\$47,073</u>	<u>\$27,573</u>														
Total costs:	\$717,189	\$719,138														
<p>Initiative 2: Enhanced Central Office Staffing</p> <p>Initiative: Provides for one additional central office support staff (Office Support III SUPV)</p>		<p>Not enacted.</p>														
	<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 60%;"></th> <th style="text-align: right; width: 20%;">2021-22</th> <th style="text-align: right; width: 20%;">2022-23</th> </tr> </thead> <tbody> <tr> <td>Position</td> <td style="text-align: right;">(1)</td> <td style="text-align: right;">(1)</td> </tr> <tr> <td>Personal Services</td> <td style="text-align: right;">\$87,871</td> <td style="text-align: right;">\$90,682</td> </tr> <tr> <td>All Other</td> <td style="text-align: right;"><u>\$7,642</u></td> <td style="text-align: right;"><u>\$4,392</u></td> </tr> <tr> <td style="text-align: right;">Total costs:</td> <td style="text-align: right;">\$95,513</td> <td style="text-align: right;">\$95,074</td> </tr> </tbody> </table>			2021-22	2022-23	Position	(1)	(1)	Personal Services	\$87,871	\$90,682	All Other	<u>\$7,642</u>	<u>\$4,392</u>	Total costs:	\$95,513
	2021-22	2022-23														
Position	(1)	(1)														
Personal Services	\$87,871	\$90,682														
All Other	<u>\$7,642</u>	<u>\$4,392</u>														
Total costs:	\$95,513	\$95,074														
<p>Initiative 3: Fully staff Attorney Supervision and Auditing Subdivisions and Establish Training and Investigative Subdivisions</p> <p>Initiative: Provides for 3 attorneys (Public Service Manager II) and 4 Paralegals to provide an additional Attorney and Paralegal for the Attorney Supervision Subdivision, an additional Paralegal for the Auditing Subdivision, and to create the Training Subdivision, consisting of one Attorney and one Paralegal, and the Investigating Subdivision, consisting of one Attorney and one Paralegal.</p>		<p>Not enacted.</p>														
	<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 60%;"></th> <th style="text-align: right; width: 20%;">2021-22</th> <th style="text-align: right; width: 20%;">2022-23</th> </tr> </thead> <tbody> <tr> <td>Positions</td> <td style="text-align: right;">(7)</td> <td style="text-align: right;">(7)</td> </tr> <tr> <td>Personal Services</td> <td style="text-align: right;">\$707,775</td> <td style="text-align: right;">\$730,423</td> </tr> <tr> <td>All Other</td> <td style="text-align: right;"><u>\$54,715</u></td> <td style="text-align: right;"><u>\$31,965</u></td> </tr> <tr> <td style="text-align: right;">Total costs:</td> <td style="text-align: right;">\$762,490</td> <td style="text-align: right;">\$762,388</td> </tr> </tbody> </table>			2021-22	2022-23	Positions	(7)	(7)	Personal Services	\$707,775	\$730,423	All Other	<u>\$54,715</u>	<u>\$31,965</u>	Total costs:	\$762,490
	2021-22	2022-23														
Positions	(7)	(7)														
Personal Services	\$707,775	\$730,423														
All Other	<u>\$54,715</u>	<u>\$31,965</u>														
Total costs:	\$762,490	\$762,388														

Chart 2: Judiciary Committee’s MCILS New Initiative Requests to AFA Committee During 130th Legislature (continued)

<p>Initiative 4: Executive Director Salary</p> <p>Initiative: Changes the Grade of the Executive Director from 52 (top of range is \$115,939, plus benefits) to Grade 37 (top of range is \$122,512, plus benefits) <i>Needs statutory change</i></p> <table border="0" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 60%;"></th> <th style="text-align: center; width: 20%;">2021-22</th> <th style="text-align: center; width: 20%;">2022-23</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Personal Services</td> <td style="text-align: center;">\$9,152</td> <td style="text-align: center;">\$9,152</td> </tr> </tbody> </table>		2021-22	2022-23	Personal Services	\$9,152	\$9,152	<p>Included in biennial budget Public Law 2021, chapter 398, § A-22 (LD 221) (with a higher fiscal note).</p>									
	2021-22	2022-23														
Personal Services	\$9,152	\$9,152														
<p>Initiative 5: Increase hourly rate from \$60 per hour to \$80 per hour (\$20 per hour increase)</p> <p>Initiative: Provides for hourly rate increase from \$60 per hour to \$80 per hour</p> <table border="0" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 60%;"></th> <th style="text-align: center; width: 20%;">2021-22</th> <th style="text-align: center; width: 20%;">2022-23</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">All Other</td> <td style="text-align: center;">\$5,732,980</td> <td style="text-align: center;">\$5,732,980</td> </tr> </tbody> </table>		2021-22	2022-23	All Other	\$5,732,980	\$5,732,980	<p>Included in biennial budget Public Law 2021, chapter 398, § A-22 (LD 221).</p>									
	2021-22	2022-23														
All Other	\$5,732,980	\$5,732,980														
<p>Initiative 6: Kennebec Public Defender Office (3 Committee Reports):</p> <p>REPORT A Initiative: Provides for 9 Attorneys - a District Defender, Deputy District Defender and 2 Serious Felony Defender Attorneys (4 Public Service Manage III), 2 Senior Assistant Public Defender and 3 Assistant Public Defender Attorneys (5 Public Service Manager II), 2 Investigators (Public Service Coordinator I), 2 Social Workers (Clinical Social Worker), 3 Paralegals and one Office Manager (Office Specialist II SUPV) to establish a Public Defender Office in Kennebec County – starting in second year of biennium</p> <table border="0" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 60%;"></th> <th style="text-align: center; width: 20%;">2021-22</th> <th style="text-align: center; width: 20%;">2022-23</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Positions</td> <td></td> <td style="text-align: center;">(17)</td> </tr> <tr> <td style="text-align: center;">Personal Services</td> <td></td> <td style="text-align: center;">\$1,961,273</td> </tr> <tr> <td style="text-align: center;">All Other</td> <td></td> <td style="text-align: center;"><u>\$157,724</u></td> </tr> <tr> <td style="text-align: center;">Total costs:</td> <td></td> <td style="text-align: center;">\$2,118,997</td> </tr> </tbody> </table> <p>REPORT B Initiative: Provides for 9 Attorneys - a District Defender, Deputy District Defender and 2 Serious Felony Defender Attorneys (4 Public Service Manage III), 2 Senior Assistant Public Defender and 3 Assistant Public Defender Attorneys (5 Public Service Manager II), 2 Investigators (Public Service Coordinator I), 2 Social Workers (Clinical Social Worker), 3</p>		2021-22	2022-23	Positions		(17)	Personal Services		\$1,961,273	All Other		<u>\$157,724</u>	Total costs:		\$2,118,997	<p>Not enacted.</p> <p>(Creation of this office was included in the original committee bill for LD 1686 but was removed in the appropriations table process and replaced with the Rural Public Defender Unit.)</p>
	2021-22	2022-23														
Positions		(17)														
Personal Services		\$1,961,273														
All Other		<u>\$157,724</u>														
Total costs:		\$2,118,997														

Chart 2: Judiciary Committee’s MCILS New Initiative Requests to AFA Committee During 130th Legislature (continued)

Paralegals and one Office Manager (Office Specialist II SUPV) to establish a Public Defender Office in Kennebec County – starting in first year of biennium			
	2021-22	2022-23	
Positions	(17)	(17)	
Personal Services	\$1,961,273	\$2,024,033	
All Other	<u>\$157,724</u>	<u>\$107,924</u>	
Total costs:	\$2,118,997	\$2,131,957	
REPORT C Do not fund the Kennebec Public Defender Office in this biennium			
Initiative 7: Appellate Public Defender (2 Committee Reports)			
REPORT A: Initiative: Provides for one Attorney (Public Service Manager III) and one Paralegal in 2021-22 and additional 2 Attorneys (Public Service II) in 2022-23.			Not enacted. (Was included in the original committee bill for LD 1687 but was removed in the committee amendment to the bill.)
	2021-22	2022-23	
Positions	(2)	(4)	
Personal Services	\$242,917	\$484,171	
All Other	<u>\$210,646</u>	<u>\$142,646</u>	
Total costs:	\$453,563	\$626,817	
REPORT B Initiative: Provides for Appeal and Post-Conviction Review Director, Appellate Division Deputy Director and Post-Conviction Review Division Deputy Director Attorneys (Public Service Manager III), 3 Senior Assistant Appellate Defender and 5 Assistant Appellate Defender Attorneys, and one Senior Assistant Post-Conviction Defender and 2 Assistance Post-Conviction Defender Attorneys (11 Public Service Manager II), 4 Paralegals, one Mitigation Specialist (Public Service Coordinator I) and an Investigator (Public Service Coordinator I)			
	2021-22	2022-23	
Positions	(20)	(20)	
Personal Services	\$2,449,458	\$2,527,840	
All Other	<u>\$ 210,646</u>	<u>\$ 142,646</u>	
Total costs:	\$2,660,104	\$2,670,486	

Chart 2: Judiciary Committee’s MCILS New Initiative Requests to AFA Committee During 130th Legislature (continued)

<p>Initiative 8: Establish historical baseline funding</p> <p>Initiative: Provides additional General Fund funding to fully fund compensation to be included in the baseline budget, recognizing the actual costs</p>			<p>Included in biennial budget Public Law 2021, chapter 398, § A-22 (LD 221).</p>
All Other	<p>2021-22 \$2,804,980</p>	<p>2022-23 \$2,804,980</p>	
<p>April 5, 2022 Memo — Re: Supplemental Budget in 2nd Regular Session (LD 1995)</p>			
<p>Initiative 1: Rural Public Defender Unit</p> <p>Initiative. Establishes one District Defender position (Elected DA-equivalent Grade 90), 2 Assistant Defender I positions (ADA-equivalent Grade 38) and 2 Assistant Defender II positions (ADA-equivalent Grade 30), to be dispatched in the State where needed, and provides for their ancillary costs and meals and travel expenses.</p>			<p>Included in Public Law 2021, chapter 720 (LD 1686).</p>
<p>GENERAL FUND POSITIONS - LEGISLATIVE COUNT Personal Services All Other</p>	<p>2021-22</p>	<p>2022-23 5 \$704,482 \$261,415</p>	
GENERAL FUND TOTAL	<p>_____</p>	<p>_____</p>	<p>\$965,897</p>
<p>Initiative 2: Legal research resources (electronic access, some paper publications)</p> <p>Initiative: Provides ongoing funds for MCILS to enter into contract for online legal research access that is then provided to MCILS rostered attorneys (up to 300), and annual reimbursement for written legal materials purchased by attorneys.</p>			<p>Included in Public Law 2021, chapter 720 (LD 1686).</p>
<p>GENERAL FUND All Other</p>	<p>2021-22</p>	<p>2022-23 \$275,580</p>	
GENERAL FUND TOTAL	<p>_____</p>	<p>_____</p>	<p>\$275,580</p>

Chart 2: Judiciary Committee’s MCILS New Initiative Requests to AFA Committee During 130th Legislature (continued)

<p>Initiative 3: Training</p> <p>Initiative: Provides ongoing funds for MCILS to provide up to 4, 2-day in-person trainings per year, including the costs of facilities, necessary expenses and honoraria for expert trainings. Existing funds will cover the hourly expense for attendance by rostered attorneys.</p> <table border="0" style="width: 100%;"> <thead> <tr> <th style="text-align: left;">GENERAL FUND</th> <th style="text-align: right;">2021-22</th> <th style="text-align: right;">2022-23</th> </tr> </thead> <tbody> <tr> <td>All Other</td> <td></td> <td style="text-align: right;">\$300,000</td> </tr> <tr> <td>GENERAL FUND TOTAL</td> <td style="text-align: right;">_____</td> <td style="text-align: right;">_____ \$300,000</td> </tr> </tbody> </table>	GENERAL FUND	2021-22	2022-23	All Other		\$300,000	GENERAL FUND TOTAL	_____	_____ \$300,000	<p>Not enacted.</p>
GENERAL FUND	2021-22	2022-23								
All Other		\$300,000								
GENERAL FUND TOTAL	_____	_____ \$300,000								
<p>Initiative 4: Contracts to specialists</p> <p>Initiative: Provides ongoing funds and authority for MCILS to contract with attorneys and other providers and subject matter experts to support indigent legal services by providing targeted support concerning diversion and mitigation, appellate assistance, mentoring of new attorneys and serving co-counsel or lead counsel with a new attorney. Contracts will cover diversion and mitigation, appellate assistance, mentoring of new lawyers and serving as co-counsel and lead counsel with new attorneys</p> <table border="0" style="width: 100%;"> <thead> <tr> <th style="text-align: left;">GENERAL FUND</th> <th style="text-align: right;">2021-22</th> <th style="text-align: right;">2022-23</th> </tr> </thead> <tbody> <tr> <td>All Other</td> <td></td> <td style="text-align: right;">\$240,000</td> </tr> <tr> <td>GENERAL FUND TOTAL</td> <td style="text-align: right;">_____</td> <td style="text-align: right;">_____ \$240,000</td> </tr> </tbody> </table>	GENERAL FUND	2021-22	2022-23	All Other		\$240,000	GENERAL FUND TOTAL	_____	_____ \$240,000	<p>Not enacted.</p>
GENERAL FUND	2021-22	2022-23								
All Other		\$240,000								
GENERAL FUND TOTAL	_____	_____ \$240,000								
<p>Initiative 5: Increase hourly rate to \$100</p> <p>Initiative: Provides ongoing funding to raise the hourly rate for attorneys from \$80 to \$100 to continue to move toward resource parity between the defense and prosecution functions.</p> <table border="0" style="width: 100%;"> <thead> <tr> <th style="text-align: left;">GENERAL FUND</th> <th style="text-align: right;">2021-22</th> <th style="text-align: right;">2022-23</th> </tr> </thead> <tbody> <tr> <td>All Other</td> <td></td> <td style="text-align: right;">\$4,649,763</td> </tr> <tr> <td>GENERAL FUND TOTAL</td> <td style="text-align: right;">_____</td> <td style="text-align: right;">_____ \$4,649,763</td> </tr> </tbody> </table>	GENERAL FUND	2021-22	2022-23	All Other		\$4,649,763	GENERAL FUND TOTAL	_____	_____ \$4,649,763	<p>Not enacted.</p>
GENERAL FUND	2021-22	2022-23								
All Other		\$4,649,763								
GENERAL FUND TOTAL	_____	_____ \$4,649,763								

Chart 2: Judiciary Committee’s MCILS New Initiative Requests to AFA Committee During 130th Legislature (continued)

<p>Initiative 6: Kennebec and Somerset Counties Public Defender Office</p> <p>A majority of the Judiciary Committee supports LD 1686 that has remained on the Special Appropriations Table since 2021, and we recommend slight modifications. We recommend that the geographically-limited public defender office encompass not only Kennebec County as originally envisioned, but all of that prosecutorial District (District 4), to include Somerset County. We recommend that the 17 positions necessary to make that public defender office provide high-quality constitutionally legal defense be funded to start on October 1, 2022.</p> <p>This is based on the appropriations section from the committee amendment to LD 1686, currently on the Special Appropriations Table. The numbers have been updated to reflect a start date of October 1, 2022, and the two 3% state employee increases. Also note that the public defender office coverage is the entire Prosecutorial District 4.</p> <p>Initiative: Establishes and provides funding for 4 Public Service Manager III positions, 5 Public Service Manager II positions, 2 Public Service Coordinator I positions, 2 Clinical Social Worker positions, 3 Paralegal positions and one Office Specialist II position to establish a Public Defender Office in Kennebec County. These positions begin October 1, 2022.</p> <table border="0" data-bbox="247 808 1333 1015"> <thead> <tr> <th style="text-align: left;">GENERAL FUND</th> <th style="text-align: right;">2021-22</th> <th style="text-align: right;">2022-23</th> </tr> </thead> <tbody> <tr> <td>POSITIONS - LEGISLATIVE COUNT</td> <td></td> <td style="text-align: right;">17.000</td> </tr> <tr> <td>Personal Services</td> <td></td> <td style="text-align: right;">\$1,559,211</td> </tr> <tr> <td>All Other</td> <td></td> <td style="text-align: right;">\$115,719</td> </tr> <tr> <td>GENERAL FUND TOTAL</td> <td style="border-top: 1px solid black;"></td> <td style="border-top: 1px solid black; text-align: right;">\$1,674,930</td> </tr> </tbody> </table>	GENERAL FUND	2021-22	2022-23	POSITIONS - LEGISLATIVE COUNT		17.000	Personal Services		\$1,559,211	All Other		\$115,719	GENERAL FUND TOTAL		\$1,674,930	<p>Not enacted (the Rural Pubic Defender Unit, see above, was included in LD 1686 instead).</p>
GENERAL FUND	2021-22	2022-23														
POSITIONS - LEGISLATIVE COUNT		17.000														
Personal Services		\$1,559,211														
All Other		\$115,719														
GENERAL FUND TOTAL		\$1,674,930														