

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill by inserting before section 1 the following:

**Sec. 1. 4 MRSA §1806, sub-§1, ¶D** is enacted to read:

D. "Case information" means:

(1) The court in which a case is brought;

(2) Any criminal charges or juvenile crime charges and the type, but not the contents, of any petition giving rise to a case;

(3) The docket number;

(4) The identity of assigned counsel and the date of assignment;

(5) The withdrawal of assigned counsel and the date of withdrawal; and

(6) Any order for reimbursement of assigned counsel fees.

**Sec. 2. 4 MRSA §1806, sub-§3** is enacted to read:

**3. Confidential information disclosed by the Judicial Department.** The Judicial Department may disclose to the commission confidential information necessary for the commission to carry out its functions, including the collection of amounts owed to reimburse the State for the cost of assigned counsel, as follows:

A. Case information and individual client information with respect to court proceedings that are confidential by statute or court rule in which one or more parties are represented by assigned counsel; and

B. The name, address, date of birth and social security number of any person ordered by the court to reimburse the State for some or all of the cost of assigned counsel.

This information remains confidential in the possession of the commission and is not open to public inspection, except that the names of criminal defendants and the names of juvenile defendants charged with offenses that if committed by an adult would constitute murder or a Class A, Class B or Class C crime are not confidential.'

Amend the bill in section 1 in subsection 8 in the last line (page 1, line 14 in L.D.) by inserting after the following: "owed." the following: 'A person who has access to or receives social security numbers

or other financial information under this subsection shall maintain the confidentiality of the information and use it only for the purposes for which it was disclosed and may not further disclose it.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

## **SUMMARY**

This amendment amends the laws governing the Maine Commission on Indigent Legal Services to define "case information" and to provide for the sharing of information by the Judicial Department with the commission. The information to be shared is necessary for the commission to keep track of the assignment of attorneys to indigent defendants and to collect reimbursement when the court orders the defendant to reimburse some or all of the cost of the representation. The information shared with the commission remains confidential, except that the names of criminal defendants and juvenile crime defendants charged with offenses that if committed by an adult would constitute murder or a Class A, Class B or Class C crime are not confidential.

The amendment provides that if a person receives social security numbers or other financial information for the purpose of collecting amounts owed to the State or any agency or department of the State, that person must keep the information confidential and use it only for the purposes for which it was disclosed and not further disclose it.