



128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 845

H.P. 594

House of Representatives, March 7, 2017

An Act To Clarify That Petitions for Certiorari to the Supreme Court of the United States Are Included within the Definition of Indigent Legal Services

Submitted by the Maine Commission on Indigent Legal Services pursuant to Joint Rule 204.

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative MOONEN of Portland.

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

2 **Sec. 1. 4 MRSA §1802, sub-§4, ¶¶B and C**, as enacted by PL 2009, c. 419, §2,
3 are 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 requires that the State provide
6 representation; ~~and~~

7 C. Juvenile defendants; and

8 **Sec. 2. 4 MRSA §1802, sub-§4, ¶D** is enacted to read:

9 D. An indigent defendant, party or juvenile for the purpose of filing, on behalf of that
10 indigent defendant, party or juvenile, a petition for certiorari to the Supreme Court of
11 the United States from an adverse decision of the Law Court on a case for which
12 services were previously provided to that defendant, party or juvenile pursuant to
13 paragraph A, B or C.

14 **SUMMARY**

15 This bill includes in the definition of "indigent legal services" the filing, on behalf of
16 an indigent party, defendant or juvenile, of a petition for certiorari to the Supreme Court
17 of the United States from an adverse decision of the Law Court on a case for which
18 indigent legal services were provided.