

STATE OF MAINE

IN THE YEAR OF OUR LORD  
TWO THOUSAND TWENTY-FIVE

S.P. 700 - L.D. 1801

**An Act to Make Technical Changes to the Laws Governing the Maine  
Commission on Public Defense Services**

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

**Sec. 1. 4 MRSA §1802, sub-§3-A**, as enacted by PL 2023, c. 638, §2, is amended to read:

**3-A. Employed counsel.** "Employed counsel" means an attorney employed by the commission to provide legal services directly to persons who are eligible to receive indigent legal services in civil proceedings.

**Sec. 2. 4 MRSA §1802, sub-§5**, as enacted by PL 2023, c. 638, §3, is amended to read:

**5. Public defender.** "Public defender" means an attorney employed by the commission to provide legal services directly to persons who are eligible to receive indigent legal services in criminal and juvenile proceedings.

**Sec. 3. 4 MRSA §1804, sub-§3, ¶A**, as amended by PL 2023, c. 638, §7, is further amended to read:

A. Develop and maintain a system that employs employed counsel and public defenders, uses appointed private attorneys and contracts with individual attorneys or groups of attorneys to provide high-quality, effective and efficient indigent legal services. The commission shall consider other programs necessary to provide high-quality, effective and efficient indigent legal services;

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

G. Materials, handouts, recordings and other documents produced, obtained or otherwise acquired by the commission in connection with providing or preparing to provide training and evaluation programs for attorneys who are or may seek to become assigned counsel, employed counsel, public defenders or contract counsel. Notwithstanding any provision of law to the contrary, the commission may disseminate materials governed by this paragraph to the extent necessary to comply with its duties under this chapter without waiving the confidentiality of the materials.

**Sec. 5. 22 MRSA §4007, sub-§1-A, ¶E**, as enacted by PL 2023, c. 638, §26, is amended to read:

E. The court shall, on request, disclose records that are ~~confidential under this subsection~~ required to be maintained as confidential under this chapter to the Maine Commission on Public Defense Services established by Title 5, section 12004-G, subsection 25-A for the purpose of assigning, evaluating or supervising counsel.