



February 3, 2023

Sen. Margaret Rotundo, Chair
Rep. Melanie Sachs, Chair
Joint Standing Committee on Appropriations & Financial Affairs
Maine State Legislature
100 State House Station
Augusta, ME 04333

Re: Support for Judiciary Committee's recommended changes regarding MCILS funding in the 2023 Supplemental Budget, Part A (p.30)

Dear Sen. Rotundo, Rep. Sachs, and Members of the Appropriations and Financial Affairs Committee:

On behalf of the Board of Governors of the Maine State Bar Association, we write in support of the recommended changes to the Governor's Supplemental Budget pertaining to the Maine Commission on Indigent Legal Services (MCILS) that were unanimously approved by the Legislature's Judiciary Committee on Thursday, January 26, 2023. These provisions relate to Part A of the Supplemental Budget (p.30).

About us. The Maine State Bar Association is a statewide trade association chartered in 1891 by the Maine Legislature. The Association currently represents approximately 3,000 attorneys in the State in both public service and private practice. The Association maintains 28 separate sections covering nearly every field of law practiced in Maine, from Administrative Law to Workers' Compensation Law. Access to justice is a key element of our mission, hence our strong and longstanding interest in the MCILS system.

Proposed changes to the Governor's Supplemental Budget. The Association strongly supports the recommended changes to the Governor's Supplemental Budget regarding critical additional funding for MCILS for the remainder of this biennium. The Governor's Supplemental Budget proposal allocated \$1 million in additional funding for MCILS. Recognizing the urgency of providing MCILS additional funding to address the current system's inability to meet its constitutional obligation to provide low-income defendants with attorneys, the Judiciary Committee voted last week to increase that figure to \$6 million. This increase will better support higher rates for MCILS-rostered attorneys.

Additionally, the Judiciary Committee recommended removing language about tiered rates from the Budget proposal. Because many MCILS-rostered attorneys struggle to keep their practices afloat while they work on MCILS cases, removing specific language about tiered rates will allow MCILS to more effectively recruit new attorneys to serve the MCILS caseload. The Association believes that the Judiciary Committee's recommended changes will allow MCILS to more appropriately address its caseload and bring many more lawyers on board to assist in the defense of indigent Mainers.

Conclusion. For these reasons, we strongly support the Judiciary Committee's recommendation to increase the \$1 million in additional funding to MCILS in the Supplemental Budget to \$6 million, and to remove specific language in the Budget proposal regarding tiered rates for attorneys. Thank you for the

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opportunity to provide these comments on the 2023 Supplemental Budget. If you have questions or need additional information, please do not hesitate to let us know.

Sincerely,



Stacy O. Stitham
President, Board of Governors

cc: Angela Armstrong, Executive Director
Rachel Okun, Chair, MSBA Legislative Committee
James I. Cohen, Verrill Dana, LLP
Clara McConnell, Maine Street Solutions