



## MAINE ASSOCIATION OF CRIMINAL DEFENSE LAWYERS

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Senator Anne Carney, Chair  
Representative Amy Kuhn, Chair  
Joint Committee on Judiciary  
5 State House Station, Room 438  
Augusta, ME 04333

### **RE: LD 1266: Resolve, Directing the Attorney General to Convene a Working Group to Propose a Plan for Expanding the Reach of Treatment Courts**

Dear Senator Carney, Representative Kuhn, and Honorable Members of the Judiciary Committee:

The Maine Association of Criminal Defense Lawyers is a non-profit organization that has nearly 300 member attorneys who practice criminal defense across the state. Since 1992, MACDL has advocated for its members and the people we are fortunate to represent in courtrooms throughout Maine and at the State House.

MACDL presents this testimony **neither for nor against** LD 1266.

Although we support the convening of a working group to discuss and develop a plan for expanding the reach of treatment courts throughout Maine, the proposed make-up of this working group is very State-side heavy—and would not effectuate the goals of the working group itself.

Not only is the working group convening at the behest of the Attorney General's Office, but it would also include representatives from a statewide association of prosecutors, probation officers, different agencies with the Department of Health and Human Services, and local law enforcement agencies. The only listed member directly connected to the defense function—an essential and constitutionally-required member of the treatment court structure—is the Maine Commission on Public Defense Services.

We believe that an additional representative from the defense bar would provide invaluable insight into the discussions and deliberations of this working group—particularly given the variety of treatment courts that will be discussed. The purpose of this working group is to center the needs of criminal defendants—defense attorneys are the proxy for the interests of criminal defendants in such groups.

Should this Committee amend the bill to explicitly include among the working group's ranks a representative from a "statewide association of defense lawyers," MACDL would support this proposal.

Thank you for your consideration, for your attention to these important matters, and for allowing me to present this testimony on this bill to you all today.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tina Heather Nadeau". The signature is fluid and cursive, with a large loop at the end.

Tina Heather Nadeau, Esq.  
MACDL Executive Director