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May 20, 2025

**Via Email**

Committee on Judiciary  
100 State House Station  
Augusta, Maine 04333

**Re: Testimony Neither for Nor Against LD 127**

Dear Senator Carney, Representative Kuhn, and the members of the Committee on Judiciary:

PDS respectfully submits this testimony neither for nor against LD 127, An Act to Strengthen Legislative Oversight of Government Agencies and Programs by Reaffirming the Legislature's Access to Confidential Records.

In relevant part, LD 127 provides that the Government Oversight Committee would be entitled to receive information and records that are privileged or confidential. PDS has records that are confidential and records that are protected by the attorney-client privilege. PDS would strenuously object to being required to disseminate records that are protected by attorney-client privilege because that privilege is for the benefit of the clients PDS serves. Making the privileged records of persons who receive representation at State expense subject to disclosure while the records of those who can afford to retain counsel would remain privileged unfairly punishes the poor. Requiring PDS to provide information or records that are confidential or privileged under to Maine Rules of Professional Conduct may also implicate attorneys' ethical obligations.

PDS requests that information and records which are confidential or privileged pursuant to the Maine Rules of Professional Conduct and/or the attorney-client privilege pursuant to the rules of evidence be excluded from LD 127.

Sincerely,

/s/Jim Billings

Jim Billings  
Executive Director