



MAINE ASSOCIATION OF CRIMINAL DEFENSE LAWYERS

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January 20, 2026

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

RE: LD 2059: An Act to Provide Required Funding for the Reimbursement of Assigned Counsel and to Develop the Public Defender Office for Cumberland County

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

MACDL supports LD 2059 and states as follows.

The Maine Civil Liberties Union (MCLU) filed suit in *Robbins v. State of Maine* on March 1, 2022. At that time the Maine Commission on Indigent Legal Services (MCILS) was the agency providing indigent criminal legal services in Maine. It was doing its best but had failed to implement several longstanding requirements around the supervision and training of appointed attorneys. The courts were—and in many places still are—struggling under a massive backlog of criminal cases arising from the COVID-19 pandemic. The number of appointed attorneys taking cases was going down while the number of pending cases was going up because the \$80 hourly rate paid to appointed attorneys at that time was woefully inadequate.

Progress since March of 2022 has been profound. Training and oversight standards have gone into place. Backlogs have been reduced and, most importantly, the number of people in jail without attorneys has been reduced. The funding of an adequate hourly rate of \$150 for appointed attorneys is without question the primary reason for this progress.

The Maine Commission on Public Defense Services (PDS), the attorneys it employs, and the attorneys it contracts cannot afford to lose this progress. The State of Maine cannot afford to lose this progress. The current \$12M budget shortfall is a truly existential threat to this progress.

LD 2059 is a necessary emergency measure to maintain the status quo of providing constitutionally adequate criminal representation under the Sixth Amendment. If this budget shortfall is not addressed, then we will find ourselves right back where we were in March of 2022.

For all these reasons, MACDL urges this committee to vote LD 2059 ought to pass.

/s/ MDM

Sincerely,

/s/ Matthew D. Morgan

Matthew D. Morgan, Esq.

MACDL President