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Judicial Branch testimony in favor of LD 2194, An Act to Clarify Responsibility for Compensation of Court-appointed Attorneys in Certain Proceedings:

Senator Carney, Representative Kuhn, members of the Joint Standing Committee on Judiciary, my name is Julie Finn and I represent the Judicial Branch. I would like to provide testimony in strong support of LD 2194.

Last session, both the Judicial Branch and the Maine Commission on Public Defense Services ("MCPDS") proposed bills to clarify the source of payment in statutes where a party, or occasionally a non-party, has a right to counsel at State expense. These two bills, particularly LD 1796 enacted into law as PL 2025, ch. 511, started a conversation about appropriate payment and funding for attorney services mentioned in other statutes and titles.

To this end, and at Senator Carney's suggestion, a working group met in November of 2025 to discuss these payments with a goal of proposing necessary legislation to effectuate agreed-upon statutory amendments. LD 2194 was generated as a result of this meeting and was reported out by the Judiciary Committee in conjunction with the MCPDS annual report. *See* 4 MRS § 1804(3)(H).

The Judicial Branch is in full support of the clarifications made in LD 2194. We further support a fiscal note that provides necessary funding to ensure that attorneys are paid promptly for their services.

We do have a minor drafting suggestion. In 4 MRS § 1802(4), last full paragraph: the part that describes services performed by an attorney appointed pursuant to Title 22, section 4005, subsection 1, paragraph F (i.e. attorneys for children) might be included as a new subsection. The offset paragraph could then address what it does NOT include.

Thank you for your time. I would be happy to answer your questions.