

April 24, 2025

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

RE: LD 1706: An Act Regarding Notification of Appointment of Legal Representation for Indigent Clients in Custody

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

My name is Trey Cox, I'm a recent graduate of Maine Law who caught a passion for public defense during my time at the Cumberland Legal Aid Clinic and have had the pleasure of working as a public defender on the Public Defense Services roster since joining the Maine State Bar.

I write in support of this bill, which addresses a vital delay in the appointment system that often effects the most vulnerable defendants.

There will always be delay between when an incarcerated individual is given the name of their attorney and when the attorney receives the appointment. Each time I have joined the roster to receive new cases, I get contacted by incarcerated clients immediately after I am appointed to their case in court. When this happens, I take them at their word and start working on their cases while I await docketing and incoming appointment documents.

Unfortunately, not all clients reach out. Many incarcerated individuals have language barriers, mental health difficulties, illnesses, or other conditions that prevent them from reaching out to their attorneys with the information provided by the Court. These defendants, many of whom may be released to the community under updated bail conditions, would be protected by the practice put forward by this bill.

I have experienced multiple cases where the delay between appointment and notification (via docketing) has been over two weeks. While courts today are backlogged, docketing attorney appointments for incarcerated individuals should be a priority for the Court as without it, attorneys have no way of knowing that they have a client in-custody. For many, delay of a few days can be the difference that causes them to lose housing, employment, or other important pieces of living a successful, stable life.

I encourage you all to vote "ought to pass" on this important bill to assist those incarcerated individuals who need counsel most, and are deprived of our assistance due solely to administrative delays.

Sincerely,

A handwritten signature in black ink that reads "M. Trey Cox". The signature is written in a cursive, slightly slanted style.

M. Trey Cox
tcox@twmmaine.com