

MCILS

April 7, 2020

**Commissioner's Meeting
Packet**

MAINE COMMISSION ON INDIGENT LEGAL SERVICES

APRIL 7, 2020
TELEPHONIC COMMISSION MEETING
AGENDA

- 1) Approval of March 24, 2020, Commission Meeting Minutes
- 2) Operations Reports
- 3) Commission Response to COVID-19 Outbreak
- 4) Budget Update
- 5) Representation of Juveniles at Long Creek
- 6) OPEGA Update
- 7) DefenderData Changes
- 8) Public Comment
- 9) Set Date, Time and Location of Next Regular Meeting of the Commission
- 10) Executive Session, if needed (Closed to Public)

(1.)

**March 24, 2020
Commission Meeting
Minutes**

**Maine Commission on Indigent Legal Services – Commissioners Meeting
March 24, 2020**

Minutes

Commissioners Present by Telephone: Michael Carey, Sarah Churchill, Roger Katz, Robert LeBrasseur, Ronald Schneider, Joshua Tardy, Mary Zmigrodski, Robert Cummins

MCILS Staff Present: Ellie Maciag, John Pelletier

Agenda Item	Discussion	Outcome/Action Item/Responsible Party
Review of Telephonic Meeting Protocol	Assistant Attorney General Hudson informed the Commissioners that during the declared emergency, the Commission can conduct Commission meetings telephonically.	
Approval of the February 25, 2020, and March 16, 2020 Commission Meeting Minutes	No discussion of meeting minutes.	Commissioner Cummins moved to approve. Commissioner Carey seconded. All voted in favor, with Commissioner Katz absent. Approved.
Supplemental Budget Update	The supplemental budget passed with the Commission’s \$2.036 million request included that provides the funding needed for the balance of the current fiscal year. Director Pelletier noted that none of the initiatives that would have increased Commission staffing were included in the supplemental budget and that additional staffing requests must wait until the next legislative session.	
Operations Reports	Director Pelletier relayed that central office staff members were working remotely. Staff was continuing to work on alleviating the backlog of vouchers and had made progress. Director Pelletier noted that much of the previous week was spent on conference calls and working on getting messages out to lawyers.	

Agenda Item	Discussion	Outcome/Action Item/Responsible Party
Discussion of Emergency Procedures	<p>Director Pelletier reviewed the latest on revised lawyer of the day procedures, motions to amend bail, and Judicial Branch changes. Commissioner LeBrasseur encouraged the Commission to waive the financial screening at initial appearance. He contended that during this emergency, financial screening is not a necessary step and can be done at a later date. Commission Cummins moved for the automatic appointment of counsel at initial appearance with the financial screening process postponed until the dispositional conference and to direct the Executive Director to communicate this decision with the Judicial Branch. Commissioner Churchill seconded. All voted in favor (Commissioner Katz absent). Commissioner LeBrasseur next encouraged the Commission to consider moving forward with the financial screening of out-of-custody defendants and request counsel be appointed now. Commissioner LeBrasseur explained that staff could request the court provide a list of all individuals summons who are facing a risk of jail and the financial screeners could send letters about how to apply for counsel. Director Pelletier will inquire with the court about its willingness to act on mailed in financial affidavits.</p>	
Authorizing Interim Vouchers	<p>Director Pelletier stated that the executive director has the authority under the rules to allow interim billing and proposed that attorneys be allowed to submit interim bills for any criminal case where the date of assignment is more than 90 days prior to submission. This would provide a staggered target for lawyers, provide financial relief, and allow the Commission to utilize the funding it has for the remainder of the fiscal year. Director Pelletier noted that staff could be flexible to deal with emergencies and financial hardships. Commissioner Cummins moved to adopt Director Pelletier's interim billing proposal. Commissioner Churchill seconded. All voted in favor (Commissioner Katz absent).</p>	
Public Comment	<p><u>Robert Ruffner, Esq.</u>: Attorney Ruffner requested that his public comment from February 25, 2020, be amended to note that he has observed Machias LOD walk-in arraignments. Attorney Ruffner urged the Commission to increase the amount of LOD walk-in attorneys throughout the entire state, just not in the larger cities. He relayed that the increase number of LODs in York and Portland have made a positive</p>	

Agenda Item	Discussion	Outcome/Action Item/Responsible Party
	<p>difference.</p> <p><u>Cory McKenna, Esq.</u>: Attorney McKenna urged the Commission to start developing a plan should the jail or court get confirmed CIVID-19 cases.</p> <p><u>Frank D’Alessandro, Esq.</u>: Attorney D’Alessandro encouraged the Commission to reach out to Appropriations Committee members who support the Commission’s efforts to get additional staffing in hopes of moving those requests forward.</p> <p><u>Tina Nadeau, Esq.</u>: Attorney Nadeau requested the Commission engaged in more direct communication with its attorneys to keep everyone more informed.</p> <p><u>Zach Heiden, Esq.</u>: Attorney Heiden requested that the Commission offer more support to its lawyers for motions to amend bail and that overall there is a real need for assistance and coordination. He urged the Commission to share any information it gathers with others.</p> <p><u>Steve Carey, Esq.</u>: Attorney Carey commended Attorney Nadeau for her work at MACDL with getting notice out to attorneys. Attorney Carey urged the Commission to do more.</p>	
Executive Session	None	
Adjournment of meeting	The next meeting will be held telephonically on April 7, 2020 at 8 am.	

(2.)
Operations Reports

MAINE COMMISSION ON INDIGENT LEGAL SERVICES

TO: MCILS COMMISSIONERS
FROM: JOHN D. PELLETIER, EXECUTIVE DIRECTOR
SUBJECT: MARCH 2020 OPERATIONS REPORTS
DATE: APRIL 2, 2020

Attached you will find the March, 2020, Operations Reports for your review and our discussion at the Commission meeting on April 7, 2020. A summary of the operations reports follows:

- 2,413 new cases were opened in the DefenderData system in March. This was an 18 case increase over February. Year to date, new cases are up by approximately 10%, from 20,410 at this time last year to 22,431 this year.
- The number of vouchers submitted electronically in March was 3,558, an increase of 689 vouchers over February, totaling \$1,883,726.89, an increase of \$468,000 over February. Year to date, the number of submitted vouchers is up by approximately 8%, from 24,520 at this time last year to 26,642 this year, but the total amount for submitted vouchers is basically flat, rising only slightly from \$12,983,000 at this time last year to \$13,000,000 this year.
- In March, we paid 3,239 electronic vouchers totaling \$1,486,148.51, representing an increase of 899 vouchers and \$355,000.00 compared to February. Year to date, the number of paid vouchers is up just under 2%, from 24,320 at this time last year to 24,710 this year but the total amount paid is down by approximately 6%, from \$12,803,000 at this time last year to \$11,971,000 this year.
- We paid no paper vouchers in March.
- The average price per voucher in March was \$453.27, down \$30.43 per voucher from February. Year to date, the average price per voucher is down approximately 8%, from \$526.13 at this time last year to \$484.46 this year.
- Appeal and Post-Conviction Review cases had the highest average voucher in March. There were 11 vouchers exceeding \$5,000 paid in March. See attached addendum for details.
- In March, we issued 80 authorizations to expend funds: 46 for private investigators, 22 for experts, and 12 for miscellaneous services such as interpreters and transcriptionists. In March, we paid \$49,041.50 for experts and investigators, etc. One request for funds was modified in March to authorize a reduced amount.
- In March, we received three complaints about attorneys. One was from an attorney concerned that this attorney had encountered another attorney's client in jail on very

low cash bail. The complaint was forwarded to the attorney representing the client, who responded that attorney and client were pursuing a resolution for time served rather than release on bail. Two others were in the form of copies of letters to the court asking for new counsel. Complaints focused on lack of contact and failure to do as asked by the client. These arrived at the end of the month and the staff is in the process of following up on these complaints.

- In March, we approved one request for co-counsel where an attorney who was not on the serious violent felony roster received an assignment in a Robbery case. Commission staff intervened to ensure that qualified co-counsel was also assigned.

In our All Other Account, the total expenses for the month of March were \$1,531,355.50. Of that amount, just over \$14,000 was devoted to the Commission's operating expenses.

In the Personal Services Account, we had \$67,146.73 in expenses for the month of March.

In the Revenue Account, the transfer for March, reflecting February's collections, totaled \$160,542.70, an increase of approximately \$86,000 over the previous month.

During March, we had no financial activity related to training.

VOUCHERS EXCEEDING \$5,000 PAID March 2020

	Voucher Total	Case Total
Voucher covering three separate cases, the most serious involving multiple felonies arising out of a high-speed chase that resulted in a multi-car crash. Counsel extensively explored police conduct and procedures as contributors to the crash. Defendant pleaded guilty, but police conduct played a prominent role in a two-day sentencing hearing.	\$7,721	\$7,721
Interim voucher after briefing in an appeal from a Murder conviction. The high-profile trial lasted six days.	\$7,608	\$7,608
Voucher after Bind-Over with respect to a juvenile charged with Murder. Juvenile waived bind-over after extensive investigation and assessment of the juvenile based on an agreement as to the adult disposition on a plea to murder.	\$7,496	\$8,211 (\$715 paid on a voucher for disposition of the adult case)
Voucher after an eight-day murder trial. Defendant was found guilty and requested new counsel for the sentencing phase.	\$7,371	\$7,371
Voucher after a two-day trial in a felony OUI case. Co-counsel from the same firm. Defendant found not guilty.	\$7,203	\$7,203
Voucher in an Aggravated Assault and Domestic Violence Terrorizing case. Defendant found not guilty after a two-day trial.	\$6,819	\$6,819
Interim voucher in a Murder case after the defendant entered a plea of guilty. Counsel conducted an investigation and obtained mental health assessment of the client, who chose to plead after extensive consultation with counsel.	\$6,606	\$6,606
Interim voucher reflecting work on two cases involving drug charges and OUI. Counsel's efforts have focused on obtaining treatment for the client and pursuing admission to Veterans Court.	\$6,064	\$6,064
Voucher in Vehicular Manslaughter case where that charge was dismissed in return for a plea to OUI Class C.	\$5,736	\$22,267 (Vouchers of \$9,019 and \$7,494 previously paid to co-counsel from separate firms for work leading to dismissal of the original indictment)
Voucher in a post-conviction review case arising from a Murder conviction. Client requested new counsel on the eve of the final evidentiary hearing.	\$5,576	\$5,576
Voucher in a post-conviction review case arising from a Murder conviction. After extensive assessment by counsel	\$5,331	\$10,427 (vouchers of \$3,768 and \$1,328 paid to two

and consultation with the client, the client decided to dismiss the petition and did so in open court.		previous post-conviction counsel who withdrew at the client's request.
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MAINE COMMISSION ON INDIGENT LEGAL SERVICES

Activity Report by Case Type

3/31/2020

DefenderData Case Type	Mar-20						Fiscal Year 2020			
	New Cases	Vouchers Submitted	Submitted Amount	Vouchers Paid	Approved Amount	Average Amount	Cases Opened	Vouchers Paid	Amount Paid	Average Amount
Appeal	12	29	\$ 30,581.42	25	\$ 46,628.20	\$ 1,865.13	141	192	\$ 313,515.64	\$ 1,632.89
Child Protection Petition	287	524	\$ 271,549.13	439	\$ 211,778.78	\$ 482.41	2,048	3,843	\$ 2,097,988.72	\$ 545.92
Drug Court	0	7	\$ 8,529.00	12	\$ 11,259.32	\$ 938.28	5	63	\$ 63,925.83	\$ 1,014.70
Emancipation	3	9	\$ 1,984.00	6	\$ 1,735.52	\$ 289.25	54	46	\$ 13,894.82	\$ 302.06
Felony	545	772	\$ 734,053.61	710	\$ 494,933.20	\$ 697.09	5,207	4,936	\$ 3,726,800.08	\$ 755.02
Involuntary Civil Commitment	90	76	\$ 13,626.44	75	\$ 15,256.84	\$ 203.42	788	656	\$ 140,546.14	\$ 214.25
Juvenile	52	101	\$ 59,032.63	86	\$ 50,883.95	\$ 591.67	622	665	\$ 325,356.25	\$ 489.26
Lawyer of the Day - Custody	312	283	\$ 66,725.15	248	\$ 60,391.94	\$ 243.52	2,349	2,055	\$ 485,107.13	\$ 236.06
Lawyer of the Day - Juvenile	25	34	\$ 6,673.43	35	\$ 7,326.95	\$ 209.34	330	307	\$ 59,665.79	\$ 194.35
Lawyer of the Day - Walk-in	83	111	\$ 27,215.10	140	\$ 33,592.98	\$ 239.95	1,081	1,013	\$ 249,947.99	\$ 246.74
Misdemeanor	729	997	\$ 379,561.08	967	\$ 313,801.23	\$ 324.51	7,274	6,750	\$ 2,449,104.90	\$ 362.83
Petition, Modified Release Treatment	1	1	\$ 144.00	0			6	33	\$ 14,784.09	\$ 448.00
Petition, Release or Discharge	0	0		0			0	6	\$ 1,902.40	\$ 317.07
Petition, Termination of Parental Rights	33	61	\$ 42,559.70	40	\$ 28,034.28	\$ 700.86	238	524	\$ 367,115.26	\$ 700.60
Post Conviction Review	13	12	\$ 19,190.00	9	\$ 16,666.40	\$ 1,851.82	92	73	\$ 107,773.93	\$ 1,476.36
Probate	3	3	\$ 4,495.66	2	\$ 2,082.00	\$ 1,041.00	24	20	\$ 21,438.54	\$ 1,071.93
Probation Violation	148	188	\$ 78,015.74	177	\$ 64,234.33	\$ 362.91	1,497	1,416	\$ 545,984.49	\$ 385.58
Represent Witness on 5th Amendment	1	3	\$ 1,242.00	3	\$ 462.00	\$ 154.00	9	11	\$ 4,641.00	\$ 421.91
Resource Counsel Criminal	1	2	\$ 354.00	3	\$ 510.00	\$ 170.00	2	26	\$ 3,318.00	\$ 127.62
Resource Counsel Juvenile	0	1	\$ 87.00	2	\$ 294.00	\$ 147.00	1	9	\$ 822.00	\$ 91.33
Resource Counsel Protective Custody	0	0		0			3	8	\$ 1,596.00	\$ 199.50
Review of Child Protection Order	74	340	\$ 136,475.80	259	\$ 108,060.59	\$ 417.22	637	2,048	\$ 972,535.85	\$ 474.87
Revocation of Administrative Release	1	4	\$ 1,632.00	1	\$ 216.00	\$ 216.00	22	10	\$ 3,291.28	\$ 329.13
DefenderData Sub-Total	2,413	3,558	\$ 1,883,726.89	3,239	\$ 1,468,148.51	\$ 453.27	22,430	24,710	\$ 11,971,056.13	\$ 484.46
Paper Voucher Sub-Total	0	0	\$ -	0	\$ -	#DIV/0!	1	1	\$ 240.00	\$ 240.00
TOTAL	2,413	3,558	\$1,883,726.89	3,239	\$1,468,148.51	\$ 453.27	22,431	24,711	\$ 11,971,296.13	\$ 484.45

MAINE COMMISSION ON INDIGENT LEGAL SERVICES
FY20 FUND ACCOUNTING
AS OF 03/31/2020

Account 014 95F Z258 01 (All Other)	Mo.	Q1	Mo.	Q2	Mo.	Q3	Mo.	Q4	FY20 Total
FY20 Professional Services Allotment		\$ 4,727,001.00		\$ 4,597,001.00		\$ 4,737,477.00		\$ 2,413,246.00	
FY20 General Operations Allotment		\$ 48,000.00		\$ 48,000.00		\$ 48,000.00		\$ 48,000.00	
FY19 Encumbered Balance Forward		\$ 32,712.53		\$ -		\$ -		\$ -	
Budget Order Adjustment		\$ (224,979.00)		\$ 224,979.00		\$ -		\$ -	
Supplemental Budget Allotment		\$ -		\$ -		\$ -		\$ 2,036,206.00	
Reduction due to encumbrance closure		\$ -		\$ -		\$ (0.04)		\$ -	
Financial Order Unencumbered Balance Fwd		\$ -		\$ -		\$ -		\$ 768,774.00	
Total Budget Allotments		\$ 4,582,734.53		\$ 4,869,980.00		\$ 4,785,476.96		\$ 5,266,226.00	\$ 19,504,417.49
Total Expenses	1	\$ (947,049.13)	4	\$ (1,377,980.25)	7	\$ (1,080,553.54)	10	\$ -	
	2	\$ (1,849,796.47)	5	\$ (1,100,530.17)	8	\$ (1,269,483.45)	11	\$ -	
	3	\$ (1,715,368.33)	6	\$ (2,053,491.02)	9	\$ (1,531,335.50)	12	\$ -	
Encumbrances (Justice Works)		\$ (52,720.00)		\$ 18,135.00		\$ 18,820.00		\$ -	\$ (15,765.00)
Encumbrances (B Taylor)		\$ (13,000.04)		\$ (17,853.34)		\$ 17,593.37		\$ -	\$ (13,260.01)
Encumbrances (Videographer & business cards)		\$ (4,800.00)		\$ -		\$ (900.00)		\$ -	\$ (5,700.00)
TOTAL REMAINING		\$ 0.56		\$ 338,260.22		\$ 939,617.84		\$ 5,266,226.00	\$ 6,544,104.62

Q3 Month 9	
INDIGENT LEGAL SERVICES	
Counsel Payments	\$ (1,468,148.51)
Interpreters	\$ (348.75)
Private Investigators	\$ (9,421.51)
Mental Health Expert	\$ (14,117.02)
Misc Prof Fees & Serv	\$ -
Transcripts	\$ (13,679.97)
Other Expert	\$ (11,167.50)
Process Servers	\$ (306.75)
Subpoena Witness Fees	\$ -
Out of State Witness Travel	\$ -
SUB-TOTAL ILS	\$ (1,517,190.01)
OPERATING EXPENSES	
Service Center	\$ -
DefenderData	\$ (5,957.50)
Parking Fees	\$ -
Mileage/Tolls/Parking	\$ (792.10)
Mailing/Postage/Freight	\$ (86.71)
West Publishing Corp	\$ -
Shredding on Site	\$ -
Office Supplies/Equip.	\$ (279.54)
Cellular Phones	\$ -
OIT/TELCO	\$ (2,484.05)
Office Equipment Rental	\$ (125.59)
Training Videographer	\$ -
Barbara Taylor monthly fees	\$ (4,420.00)
Notary Fees	\$ -
Training Printing Fees	\$ -
SUB-TOTAL OE	\$ (14,145.49)
TOTAL	\$ (1,531,335.50)

Q3 Month 9	
INDIGENT LEGAL SERVICES	
Q3 Allotment	\$ 4,785,476.96
Q3 Encumbrances for Justice Works contract	\$ 18,820.00
Barbara Taylor Contract	\$ 17,593.37
Videographer	\$ (900.00)
Q3 Expenses to date	\$ (3,881,372.49)
Remaining Q3 Allotment	\$ 939,617.84

Non-Counsel Indigent Legal Services	
Monthly Total	\$ (49,041.50)
Total Q1	\$ 276,360.62
Total Q2	\$ 230,435.64
Total Q3	\$ 291,610.68
Total Q4	\$ -
Fiscal Year Total	\$ 798,406.94

Conference Account Transactions	
NSF Charges	\$ -
Training Facilities & Meals	\$ -
Printing/Binding	\$ -
Overseers of the Bar CLE fee	\$ -
Collected Registration Fees	\$ -
Current Month Total	\$ -

\$ -

MAINE COMMISSION ON INDIGENT LEGAL SERVICES
FY20 FUND ACCOUNTING
As of 03/31/20

Account 014 95F Z258 01 (Revenue)	Mo.	Q1	Mo.	Q2	Mo.	Q3	Mo.	Q4	FY20 Total
Total Budget Allotments		\$ 275,000.00		\$ 275,000.00		\$ 275,000.00		\$ 275,000.00	\$ 1,100,000.00
Financial Order Adjustment	1	\$ -	4	\$ -	7	\$ -	10	\$ -	
Financial Order Adjustment	2	\$ -	5	\$ -	8	\$ -	11	\$ -	
Budget Order Adjustment	3	\$ -	6	\$ -	9	\$ -	12	\$ -	
Budget Order Adjustment		\$ -		\$ -		\$ -	12	\$ -	\$ -
Total Budget Allotments		\$ 275,000.00		\$ 275,000.00		\$ 275,000.00		\$ 275,000.00	\$ 1,100,000.00
Cash Carryover from Prior Quarter		\$ -		\$ -		\$ -		\$ -	
Collected Revenue from JB	1	\$ 78,559.60	4	\$ 86,636.49	7	\$ 61,320.62	10	\$ -	
Promissory Note Payments		\$ -		\$ -		\$ -		\$ -	
Collected Revenue from JB	2	\$ 79,457.90	5	\$ 93,840.18	8	\$ 73,756.21	11	\$ -	
Court Ordered Counsel Fee		\$ -		\$ -		\$ -		\$ -	
Collected Revenue from JB (late transfer)		\$ -		\$ -		\$ -		\$ -	
Collected Revenue from JB	3	\$ 114,887.22	6	\$ 103,917.30	9	\$ 160,542.79	12	\$ -	
Returned Checks-stopped payments		\$ -		\$ -		\$ -		\$ -	
TOTAL CASH PLUS REVENUE COLLECTED		\$ 272,904.72		\$ 284,393.97		\$ 295,619.62		\$ -	\$ 852,918.31
Counsel Payments	1	\$ -	4	\$ -	7	\$ -	10	\$ -	
Other Expenses		\$ -		\$ -		\$ -	***	\$ -	
Counsel Payments	2	\$ -	5	\$ -	8	\$ -	11	\$ -	
Other Expenses		\$ -		\$ -		\$ -		\$ -	
Counsel Payments	3	\$ -	6	\$ -	9	\$ -	12	\$ -	
Other Expenses	*	\$ -	**	\$ -	***	\$ -		\$ -	
REMAINING ALLOTMENT		\$ 275,000.00		\$ 275,000.00		\$ 275,000.00		\$ 275,000.00	\$ 1,100,000.00
Overpayment Reimbursements	1	\$ (168.00)	4	\$ (434.53)	7	\$ 138.00	10	\$ -	
	2	\$ (904.00)	5	\$ (200.00)	8	\$ -	11	\$ -	
	3	\$ -	6	\$ -	9	\$ (884.00)	12	\$ -	
REMAINING CASH Year to Date		\$ 271,832.72		\$ 283,759.44		\$ 294,873.62		\$ -	\$ 850,465.78

Collections versus Allotment	
Monthly Total	\$ 160,542.79
Total Q1	\$ 274,669.72
Total Q2	\$ 284,393.97
Total Q3	\$ 295,757.62
Total Q4	\$ -
Allotment Expended to Date	\$ -
Fiscal Year Total	\$ 854,821.31

MAINE COMMISSION ON INDIGENT LEGAL SERVICES
FY20 FUND ACCOUNTING
AS OF 03/31/2020

Account 014 95F Z258 01									
(Personal Services)									
	Mo.	Q1	Mo.	Q2	Mo.	Q3	Mo.	Q4	FY20 Total
FY20 Allotment	\$	326,128.00	\$	242,565.00	\$	214,283.00	\$	233,702.00	\$ -
Financial Order Adjustments	\$	-	\$	-	\$	-	\$	-	
Financial Order Adjustments	\$	-	\$	-	\$	-	\$	-	
Budget Order Adjustments			\$	-	\$	-			
Total Budget Allotments	\$	326,128.00	\$	242,565.00	\$	214,283.00	\$	233,702.00	\$ 1,016,678.00
Total Expenses	1	\$ (62,240.56)	4	\$ (99,140.23)	7	\$ (70,131.98)	10	\$ -	
	2	\$ (174,797.03)	5	\$ (71,894.07)	8	\$ (59,062.25)	11	\$ -	
	3	\$ (68,346.25)	6	\$ (69,821.39)	9	\$ (67,146.73)	12	\$ -	
TOTAL REMAINING	\$	20,744.16	\$	1,709.31	\$	17,942.04	\$	233,702.00	\$ 274,097.51

Q3 Month 9	
Per Diem	\$ (55.00)
Salary	\$ (31,777.02)
Vacation Pay	\$ (3,000.82)
Holiday Pay	\$ (2,046.82)
Sick Pay	\$ (1,438.10)
Empl Hlth SVS/Worker Comp	\$ (166.00)
Health Insurance	\$ (10,379.64)
Dental Insurance	\$ (352.58)
Employer Retiree Health	\$ (4,143.99)
Employer Retirement	\$ (2,530.04)
Employer Group Life	\$ (401.41)
Employer Medicare	\$ (555.39)
Retiree Unfunded Liability	\$ (7,246.81)
Longevity Pay	\$ (108.00)
Perm Part Time Full Ben	\$ (2,488.45)
Premium & Standard Overtime	\$ (456.66)
	\$ -
TOTAL	\$ (67,146.73)

MAINE COMMISSION ON INDIGENT LEGAL SERVICES

Activity Report by Court

3/31/2020

Court	Mar-20						Fiscal Year 2020			
	New Cases	Vouchers Submitted	Submitted Amount	Vouchers Paid	Approved Amount	Average Amount	Cases Opened	Vouchers Paid	Amount Paid	Average Amount
ALFSC	4	5	\$ 3,369.00	2	\$ 3,022.60	\$ 1,566.00	30	37	\$ 21,586.73	\$ 583.43
AUBSC	0	2	\$ 729.00	0			14	13	\$ 9,304.20	\$ 715.71
AUGDC	72	77	\$ 43,707.42	52	\$ 24,707.12	\$ 553.50	475	536	\$ 271,070.73	\$ 505.73
AUGSC	7	12	\$ 4,771.56	8	\$ 6,397.88	\$ 339.75	41	88	\$ 52,740.54	\$ 599.32
BANDC	61	139	\$ 41,448.81	108	\$ 23,609.60	\$ 293.68	551	932	\$ 299,425.03	\$ 321.27
BANSC	0	1	\$ 366.00	0			5	4	\$ 450.00	\$ 112.50
BATSC	1	0		0			2	1	\$ 132.00	\$ 132.00
BELDC	16	19	\$ 15,346.85	11	\$ 4,697.57	\$ 331.32	123	254	\$ 121,686.92	\$ 479.08
BELSC	0	0		0			0	1	\$ 1,530.64	\$ 1,530.64
BIDDC	68	102	\$ 49,303.13	71	\$ 35,700.80	\$ 523.60	595	738	\$ 409,451.94	\$ 554.81
BRIDC	11	20	\$ 9,340.98	19	\$ 10,035.20	\$ 464.68	93	173	\$ 87,902.00	\$ 508.10
CALDC	1	7	\$ 3,487.84	6	\$ 1,195.84	\$ 448.31	44	75	\$ 33,660.56	\$ 448.81
CARDC	13	37	\$ 13,107.11	21	\$ 6,812.86	\$ 445.00	123	217	\$ 86,805.77	\$ 400.03
CARSC	0	1	\$ 311.95	1	\$ 102.00	\$ 311.95	6	8	\$ 3,893.45	\$ 486.68
DOVDC	5	16	\$ 4,210.40	14	\$ 3,905.00	\$ 286.27	45	121	\$ 42,442.32	\$ 350.76
DOVSC	1	0		0			1	0		
ELLDC	24	39	\$ 22,187.12	31	\$ 33,027.76	\$ 495.55	148	335	\$ 198,654.69	\$ 593.00
ELLSC	0	1	\$ 708.00	0			3	2	\$ 831.00	\$ 415.50
FARDC	10	19	\$ 10,185.50	8	\$ 14,208.56	\$ 577.34	76	165	\$ 112,831.37	\$ 683.83
FARSC	0	0		0	\$ 42.00		3	3	\$ 370.16	\$ 123.39
FORDC	10	15	\$ 4,535.39	8	\$ 3,354.65	\$ 459.61	55	70	\$ 33,723.24	\$ 481.76
HOUDC	14	37	\$ 14,988.83	44	\$ 8,234.56	\$ 405.32	220	311	\$ 122,895.67	\$ 395.16
HOUSC	0	0		0			2	2	\$ 816.00	\$ 408.00
LEWDC	93	178	\$ 83,773.37	155	\$ 36,225.77	\$ 419.80	727	957	\$ 421,503.75	\$ 440.44
LINDC	13	27	\$ 11,049.96	21	\$ 3,389.84	\$ 400.53	90	152	\$ 72,650.08	\$ 477.96
MACDC	6	23	\$ 14,219.00	20	\$ 1,854.00	\$ 557.17	74	152	\$ 66,217.28	\$ 435.64
MACSC	0	0		0			0	2	\$ 360.00	\$ 180.00
MADDC	1	1	\$ 281.36	3	\$ 390.00	\$ 251.57	17	17	\$ 5,261.36	\$ 309.49
MILDC	4	14	\$ 3,725.88	12	\$ 2,362.00	\$ 295.48	44	84	\$ 23,952.16	\$ 285.14
NEWDC	22	38	\$ 13,019.48	29	\$ 6,649.24	\$ 357.70	140	300	\$ 102,184.12	\$ 340.61
PORDC	73	118	\$ 58,058.75	141	\$ 69,482.84	\$ 470.15	718	961	\$ 476,957.82	\$ 496.31
PORSC	0	1	\$ 102.00	0	\$ 3,462.00		11	8	\$ 7,629.44	\$ 953.68
PREDC	22	37	\$ 11,516.73	23	\$ 7,932.20	\$ 280.37	189	228	\$ 92,222.84	\$ 404.49
ROCD	25	17	\$ 8,556.16	9	\$ 4,931.74	\$ 660.89	176	247	\$ 109,245.52	\$ 442.29
ROSC	2	1	\$ 126.00	0	\$ 918.72		12	12	\$ 3,709.48	\$ 309.12
RUMDC	19	23	\$ 11,851.95	14	\$ 15,522.34	\$ 578.61	130	124	\$ 118,905.90	\$ 958.92
SKODC	26	59	\$ 23,022.97	69	\$ 27,170.12	\$ 308.94	287	650	\$ 253,387.13	\$ 389.83
SKOSC	0	0		0			2	1	\$ 815.20	\$ 815.20
SOUDC	7	34	\$ 12,395.78	20	\$ 7,510.39	\$ 463.07	122	188	\$ 111,118.12	\$ 591.05
SOUSC	0	0		0			2	6	\$ 4,307.75	\$ 717.96
SPRDC	34	65	\$ 38,839.86	55	\$ 20,356.54	\$ 597.74	354	498	\$ 270,313.01	\$ 542.80
Law Ct	11	22	\$ 20,426.70	21	\$ 32,837.36	\$ 1,840.21	109	152	\$ 258,699.82	\$ 1,701.97
YORCD	235	337	\$ 241,792.13	280	\$ 93,476.85	\$ 623.24	2,046	2,048	\$ 1,350,763.68	\$ 659.55
AROCD	111	154	\$ 63,795.05	145	\$ 36,358.55	\$ 372.86	1,230	1,070	\$ 485,915.59	\$ 454.13
ANDCD	156	173	\$ 106,244.36	157	\$ 71,923.18	\$ 434.62	1,440	1,379	\$ 621,855.14	\$ 450.95
KENCD	138	199	\$ 103,560.85	221	\$ 51,742.52	\$ 375.64	1,573	1,486	\$ 602,164.42	\$ 405.23
PENCD	213	289	\$ 140,376.25	378	\$ 97,567.28	\$ 389.57	2,243	2,096	\$ 884,543.64	\$ 422.02
SAGCD	23	31	\$ 22,059.98	26	\$ 10,969.44	\$ 742.52	254	224	\$ 109,263.04	\$ 487.78
WALCD	36	29	\$ 76,996.49	42	\$ 11,306.56	\$ 501.60	315	327	\$ 171,494.91	\$ 524.45
PISCD	12	19	\$ 4,365.12	17	\$ 2,557.77	\$ 251.20	163	152	\$ 42,672.14	\$ 280.74
HANCD	58	58	\$ 24,216.00	45	\$ 20,463.56	\$ 425.53	428	432	\$ 211,578.64	\$ 489.77
FRACD	37	42	\$ 27,958.00	37	\$ 26,856.55	\$ 632.55	356	397	\$ 209,578.17	\$ 527.90
WASCD	42	39	\$ 15,586.84	33	\$ 16,300.40	\$ 299.85	353	372	\$ 134,036.60	\$ 360.31
CUMCD	351	570	\$ 322,287.91	498	\$ 168,387.00	\$ 484.98	3,270	3,255	\$ 1,775,125.72	\$ 545.35
KNOCD	60	65	\$ 33,081.50	76	\$ 21,216.16	\$ 445.20	517	465	\$ 202,260.09	\$ 434.97
SOMCD	89	85	\$ 28,065.70	84	\$ 14,842.30	\$ 316.38	883	510	\$ 127,406.37	\$ 249.82
OXFCD	70	99	\$ 41,044.94	80	\$ 22,469.20	\$ 309.34	685	616	\$ 238,422.88	\$ 387.05
LINCD	38	28	\$ 11,099.14	32	\$ 11,257.01	\$ 478.79	278	263	\$ 121,217.04	\$ 460.90
WATDC	27	45	\$ 18,295.38	46	\$ 24,821.68	\$ 380.10	222	392	\$ 185,712.81	\$ 473.76
WESDC	24	55	\$ 23,805.22	30	\$ 3,834.00	\$ 429.65	187	231	\$ 100,319.01	\$ 434.28
WISDC	13	19	\$ 9,943.83	8	\$ 1,764.44	\$ 388.61	63	83	\$ 41,275.12	\$ 497.29
WISSC	1	1	\$ 1,164.00	0			4	2	\$ 1,055.50	\$ 527.75
YORDC	3	11	\$ 6,537.88	8	\$ 3,704.53	\$ 807.30	61	85	\$ 42,749.88	\$ 502.94
TOTAL	2,413	3,555	\$ 1,875,347.41	3,239	\$ 1,131,868.08	\$ 453.27	22,430	24,710	\$ 11,971,056.13	\$ 484.46

MAINE COMMISSION ON INDIGENT LEGAL SERVICES

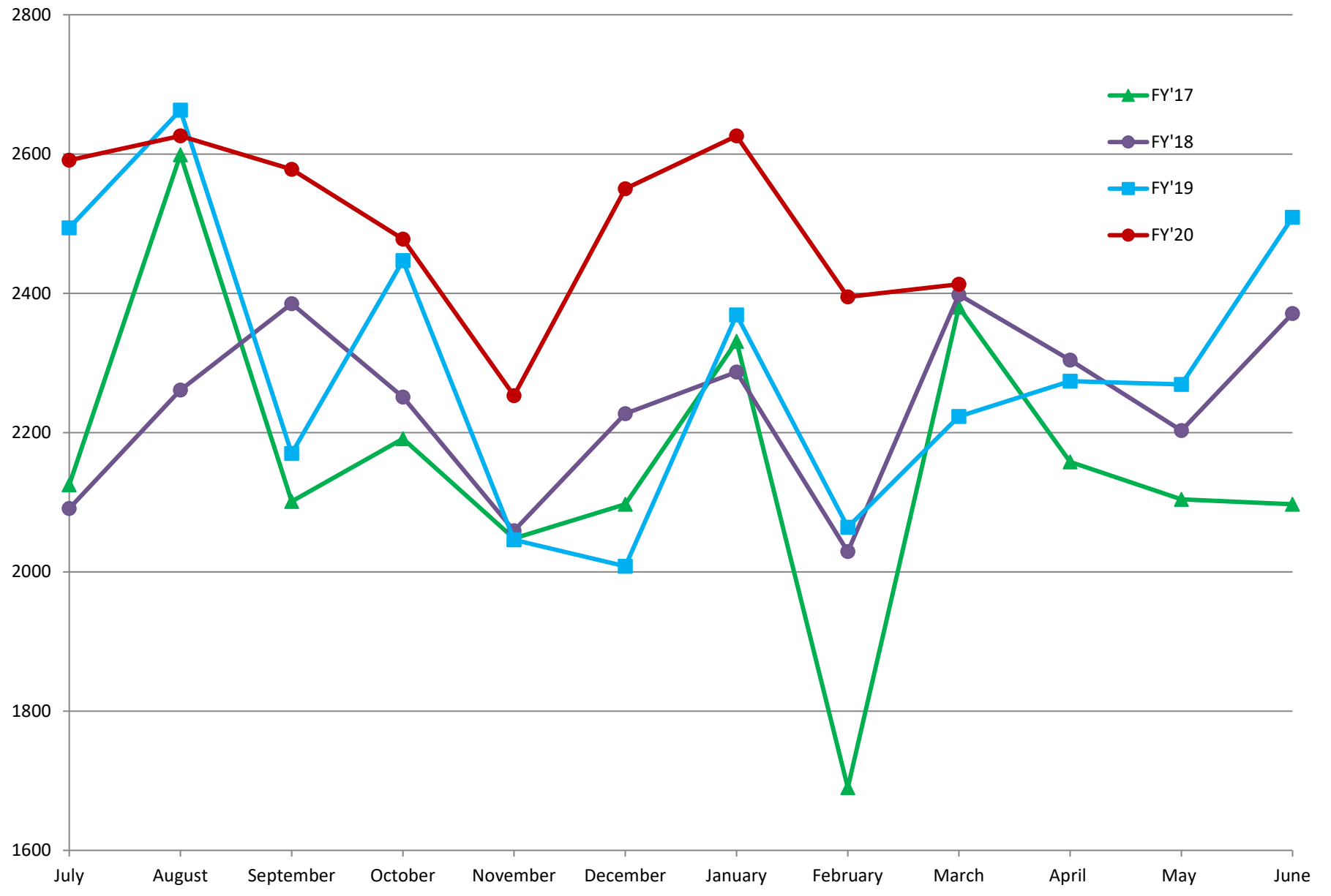
Number of Attorneys Rostered by Court

03/31/2020

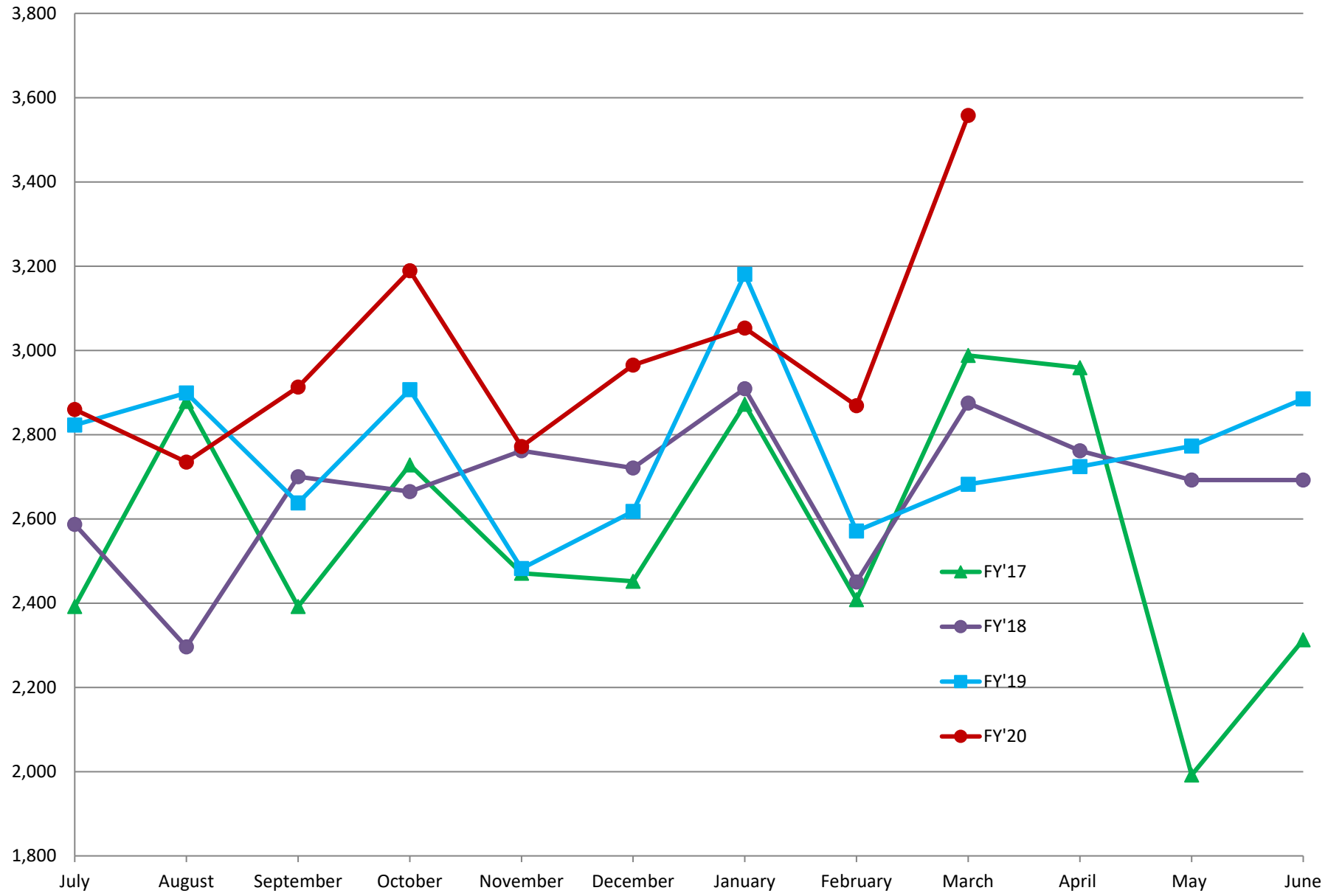
Court	Rostered Attorneys
Augusta District Court	71
Bangor District Court	38
Belfast District Court	38
Biddeford District Court	114
Bridgton District Court	71
Calais District Court	9
Caribou District Court	15
Dover-Foxcroft District Court	23
Ellsworth District Court	30
Farmington District Court	33
Fort Kent District Court	9
Houlton District Court	12
Lewiston District Court	109
Lincoln District Court	21
Machias District Court	13
Madawaska District Court	10
Millinocket District Court	14
Newport District Court	28
Portland District Court	135
Presque Isle District Court	13
Rockland District Court	28
Rumford District Court	23
Skowhegan District Court	24

Court	Rostered Attorneys
South Paris District Court	48
Springvale District Court	99
Unified Criminal Docket Alfred	102
Unified Criminal Docket Aroostook	20
Unified Criminal Docket Auburn	91
Unified Criminal Docket Augusta	65
Unified Criminal Docket Bangor	40
Unified Criminal Docket Bath	76
Unified Criminal Docket Belfast	38
Unified Criminal DocketDover Foxcroft	22
Unified Criminal Docket Ellsworth	34
Unified Criminal Docket Farmington	36
Unified Criminal Docket Machias	15
Unified Criminal Docket Portland	135
Unified Criminal Docket Rockland	24
Unified Criminal Docket Skowhegan	22
Unified Criminal Docket South Paris	40
Unified Criminal Docket Wiscasset	44
Waterville District Court	39
West Bath District Court	88
Wiscasset District Court	51
York District Court	86

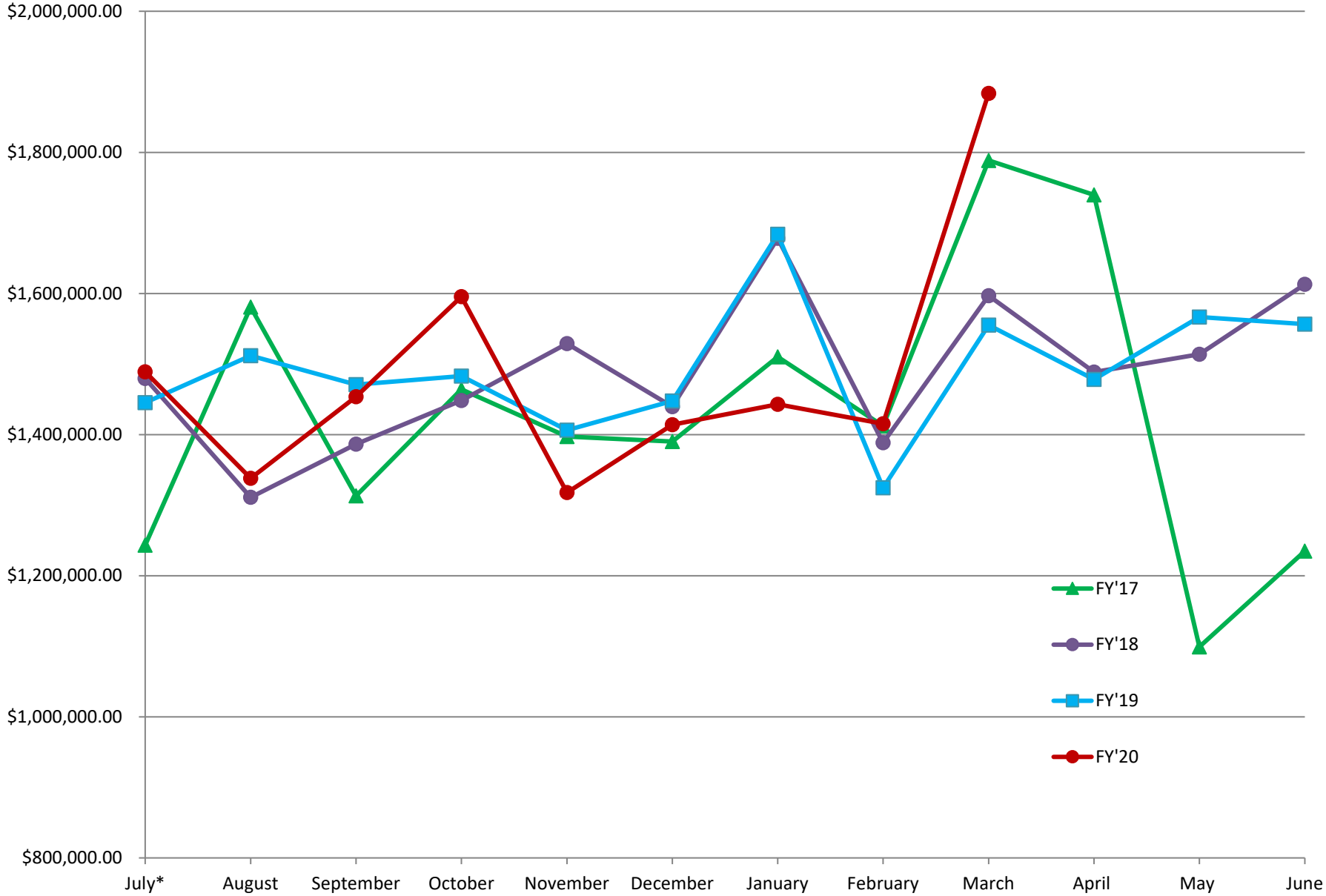
NEW CASES



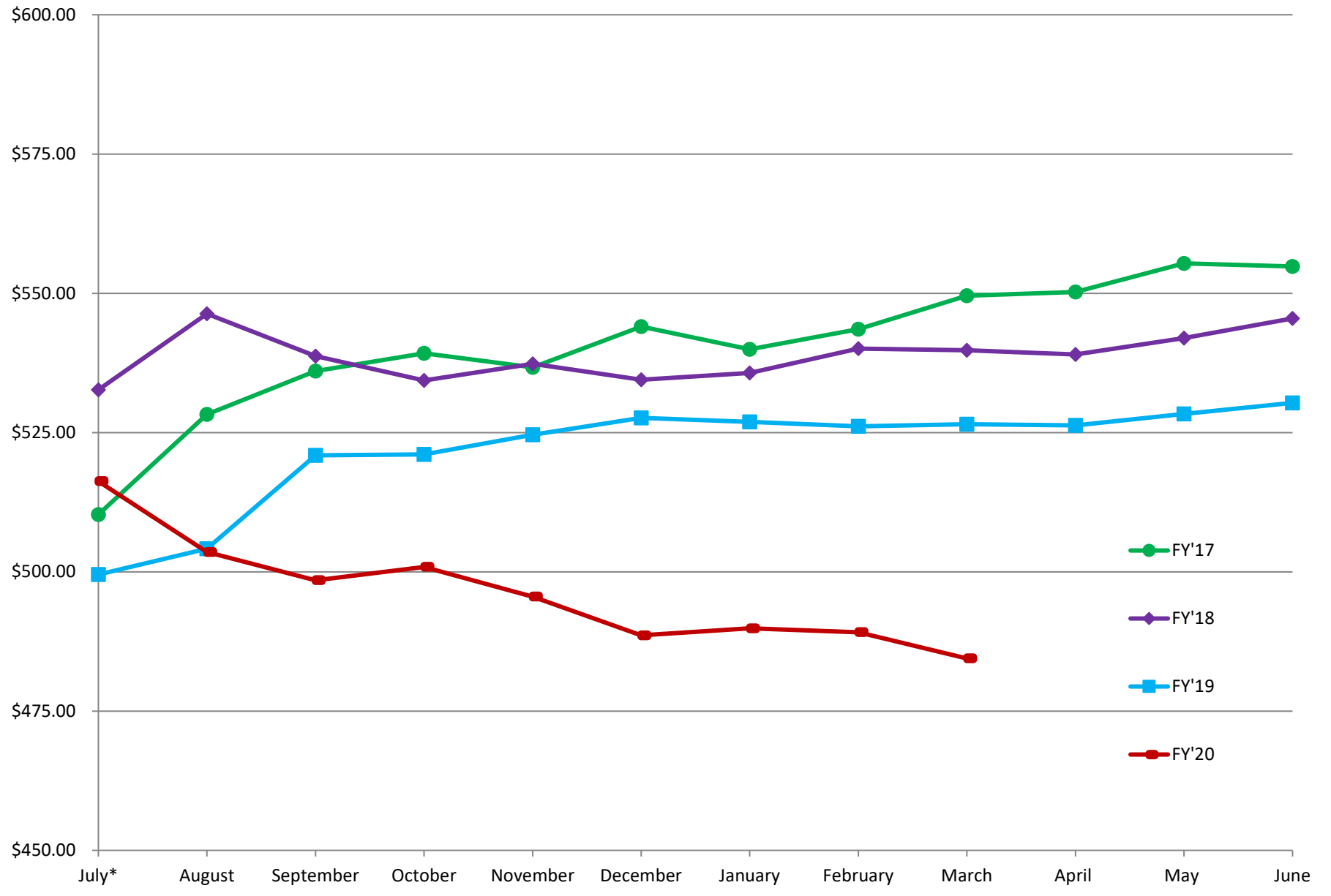
Submitted Vouchers



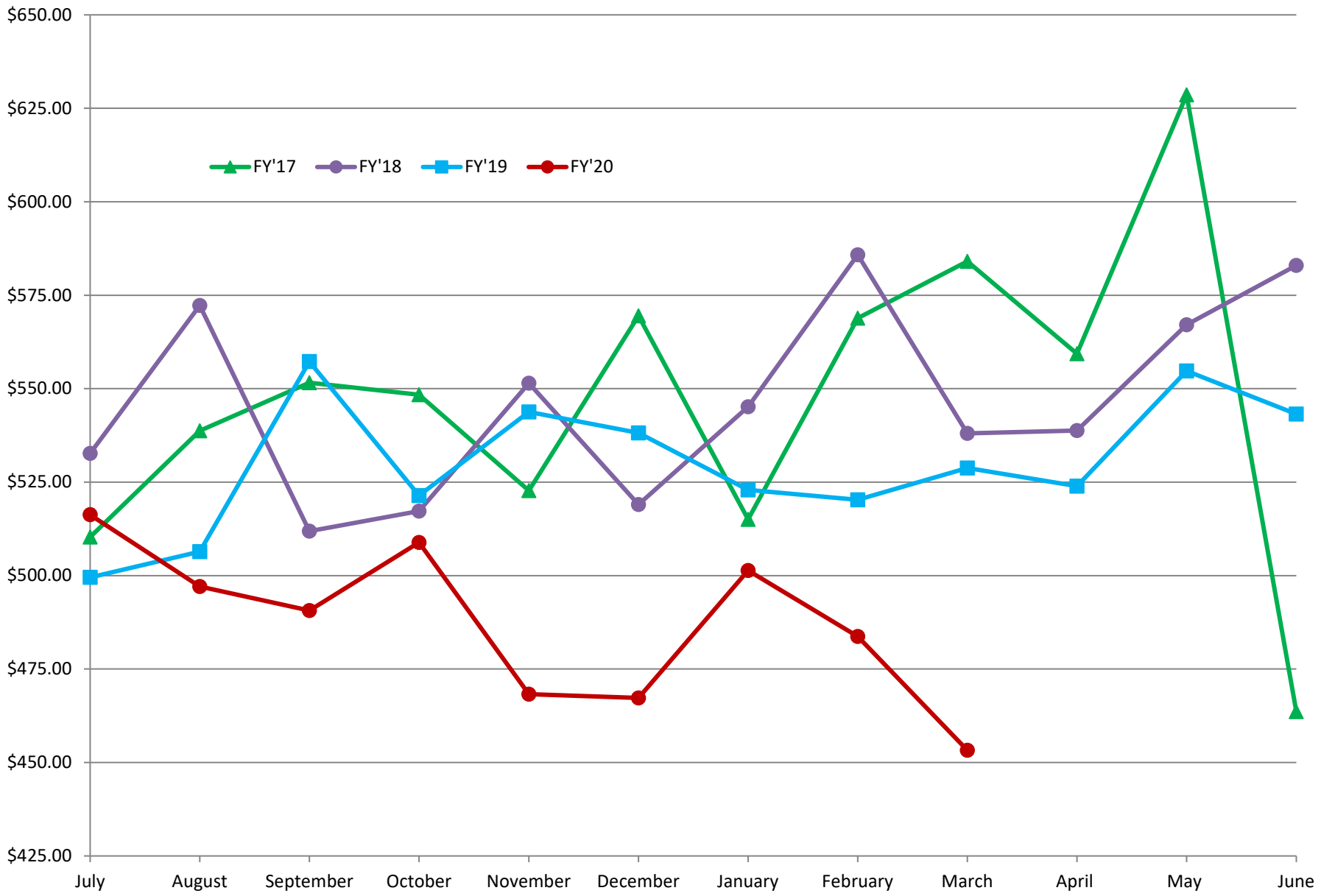
Submitted Voucher Amount



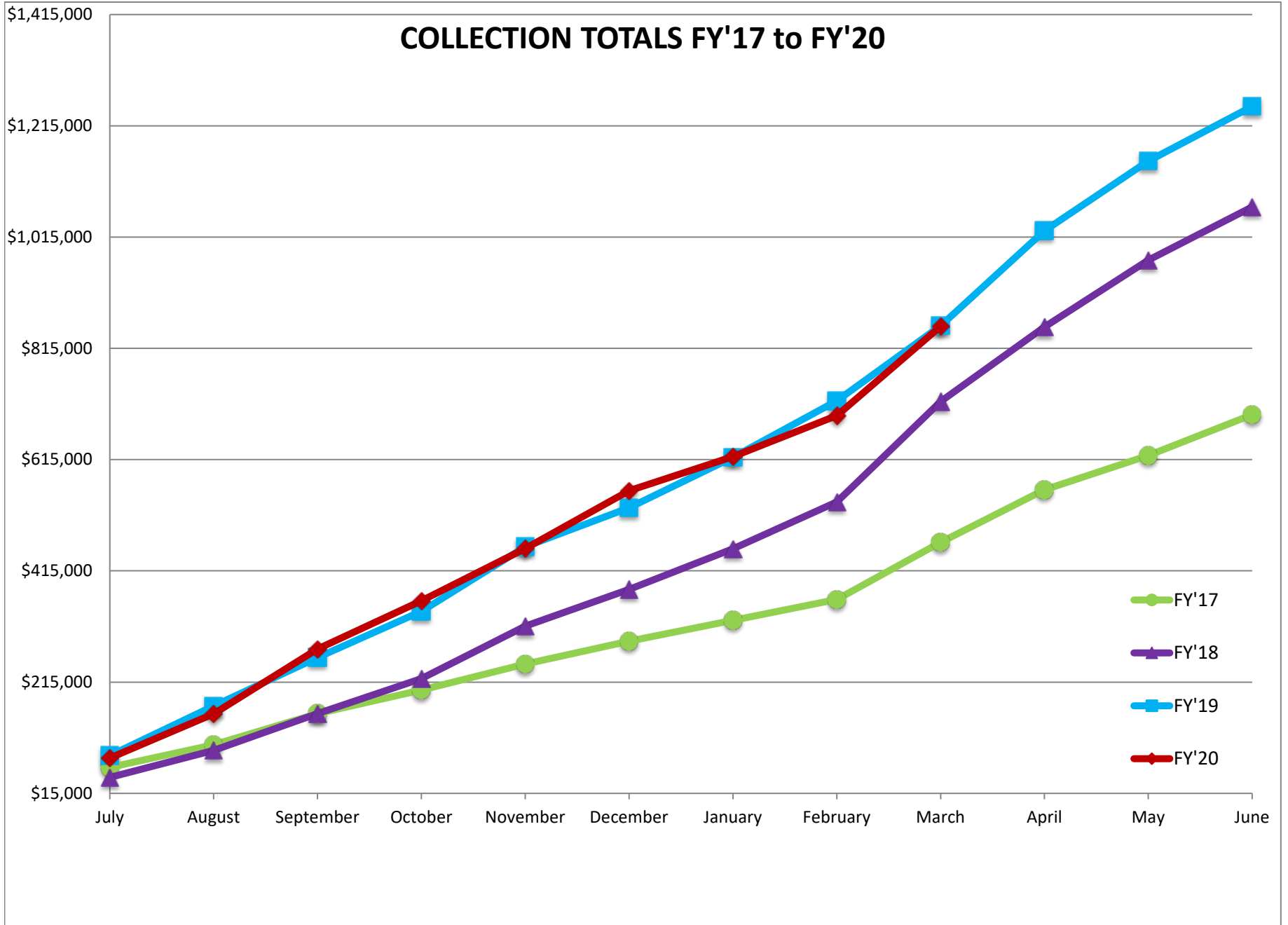
Average Voucher Price Fiscal Year to Date



Monthly Price Per Voucher



COLLECTION TOTALS FY'17 to FY'20



(3.)

**Commission response to
COVID-19 Outbreak**

MAINE COMMISSION ON INDIGENT LEGAL SERVICES

TO: MCILS COMMISSIONERS
FROM: JOHN D. PELLETIER, EXECUTIVE DIRECTOR
CC: ELLIE MACIAG, DEPUTY EXECUTIVE DIRECTOR
SUBJECT: COVID-19 RESPONSE UPDATE
DATE: APRIL 2, 2020

Since the last meeting, the staff has focused on gathering information about what is happening in the courts and providing information and advice to rostered attorneys. We have:

- Advised attorneys of the interim billing policy adopted by the Commission at its last meeting.
- Provided juvenile attorneys with links to national guidance and pleadings for use in obtaining release of juveniles from detention.
- Reminded rostered attorneys that motions for review of bail are among the emergency motions the court will hear and urged all counsel to seek release for clients held in lieu of bail.
- Advised attorneys that they will be compensated for work on closed (sentenced) cases seeking early release from jail and provided a sample petition to the Sheriff for early release.
- Provided attorneys on the criminal roster with a sample motion for reduction of jail sentences in light of the COVID-19 outbreak.
- Transmitted links to newly released Judicial Branch emergency management orders.
- Provided a list of email addresses designated for use in each court for filing of motions by email during the emergency.

In addition to these efforts, Deputy Director Maciag has been soliciting feedback on processes being implemented for in-custody initial appearances and child protection cases with a view to identifying best practices. In at least one case, we were able to use this information to advise a court on how it might limit the need for attorneys to meet clients at a jail, and we plan to use this information to advocate more broadly for keeping lawyers out of the jail.

Finally, the feedback has allowed us to identify certain jails where populations are not dropping as quickly as others and reach out to local counsel urging them to actively seek releases.

(4.)

Budget Update

MAINE COMMISSION ON INDIGENT LEGAL SERVICES

TO: MCILS COMMISSIONERS
FROM: JOHN D. PELLETIER, EXECUTIVE DIRECTOR
CC: ELLIE MACIAG, DEPUTY EXECUTIVE DIRECTOR
SUBJECT: BUDGET UPDATE
DATE: APRIL 2, 2020

The second half of March saw a surge in submitted vouchers, beginning with the Court's announcement of its emergency order suspending most court proceedings due to the COVID-19 outbreak. Primarily as a result of this surge, submitted costs exceeded projections for the third quarter by approximately \$200,000.00. Nevertheless, overall costs are under projections so far this year because we finished the second quarter with a balance of over \$300,000.00 that can be pulled forward to cover costs incurred in the third and fourth quarters.

In addition, the enactment of the supplemental budget filled the projected shortfall in the fourth quarter, so we are fully funded for the year. There remains uncertainty about costs in the fourth quarter. Attorneys are authorized to submit interim bills, so some costs will come in faster than they would have otherwise. The hiatus in many court proceedings, however, means that fewer current costs are being incurred. So, like much else in these uncertain times, we will have to see how the budget picture evolves over the balance of the fiscal year.

(5.)

**Representation of
Committed Juveniles**

MAINE COMMISSION ON INDIGENT LEGAL SERVICES

TO: MCILS COMMISSIONERS
FROM: JOHN D. PELLETIER, EXECUTIVE DIRECTOR
CC: ELLIE MACIAG, DEPUTY EXECUTIVE DIRECTOR
SUBJECT: REPRESENTATION OF COMMITTED JUVENILES UPDATE
DATE: APRIL 3, 2020

As of April 3, 2020, counsel have been assigned to represent each committed youth currently held at Long Creek.

(6.)

OPEGA Update

MAINE COMMISSION ON INDIGENT LEGAL SERVICES

TO: MCILS COMMISSIONERS
FROM: JOHN D. PELLETIER, EXECUTIVE DIRECTOR
CC: ELLIE MACIAG, DEPUTY EXECUTIVE DIRECTOR
SUBJECT: OPEGA UPDATE
DATE: APRIL 2, 2020

In early March, we were told to expect to receive OPEGA's report to the Government Oversight Committee (GOC) later that month, with a 15-day opportunity for comment. With the adjournment of the legislature, that process has been put on hold. We were told that the report would likely be a priority when the Legislature is able to conduct business again. Recall, also, that the report under preparation addresses 2 of 5 subject areas originally designated by the GOC. OPEGA staff has suggested that they may, if able, use some of this time to begin work on the three other subject areas.

(7.)

DefenderData Changes

MAINE COMMISSION ON INDIGENT LEGAL SERVICES

TO: MCILS COMMISSIONERS
FROM: JOHN D. PELLETIER, EXECUTIVE DIRECTOR
CC: ELLIE MACIAG, DEPUTY EXECUTIVE DIRECTOR
SUBJECT: DEFENDERDATA UPDATE
DATE: APRIL 3, 2020

At several meetings, the Commission has discussed modifying the attorney billing system to allow time entry on a daily time sheet. I have reached out to Justice Works, and they are identifying the options that would be available to implement daily timesheet billing within the DefenderData system and the cost of such an upgrade. I expect to have an internet meeting with Justice Works to review these options in the near future.