

**MCILS**

**August 8, 2017  
Commissioner's Meeting  
Packet**

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**MAINE COMMISSION ON INDIGENT LEGAL SERVICES**

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**AUGUST 8, 2017**

**COMMISSION MEETING**

**JUDICIARY COMMITTEE ROOM, ROOM 438, STATEHOUSE, AUGUSTA**

**AGENDA**

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- 1) Approval of June 9, 2017 Commission Meeting Minutes
- 2) Operations Reports June
- 3) Operations Reports July
- 4) Budget Update
- 5) Action Items Discussion
- 6) Public Comment
- 7) Set Date, Time and Location of Next Regular Meeting of the Commission
- 8) Executive Session, if needed (Closed to Public)

**(1.)**  
**June 9, 2017**  
**Commission Meeting**  
**Minutes**

**Maine Commission on Indigent Legal Services – Commissioners Meeting  
June 9, 2017**

**Minutes**

**Commissioners Present:** Steven Carey, Marvin Glazier, William Logan, Carlann Welch

**MCILS Staff Present:** John Pelletier

<b>Agenda Item</b>	<b>Discussion</b>	<b>Outcome/Action Item/Responsible Party</b>
Approval of the May 15, 2017 Commission Meeting Minutes	It was pointed out that Commissioner Logan's name was misspelled in several places in the draft minutes.	Commissioner Glazier moved for approval as amended to correct a misspelling of Commissioner Logan's name. Commissioner Welch seconded. All present voted in favor. Approved as amended.
Operations Reports Review	Chair Carey suggested dispensing with the oral presentation of the operations report, but indicated that the usual summary of the operations reports should be included in the minutes. The other Commissioners agreed, and the summary follows: 2,104 new cases were opened in the DefenderData system in May. This was a 51 case decrease from April. The number of submitted vouchers in May was 1,992, a decrease of 964 vouchers from April, totaling \$1,093,494.79, a decrease of \$645,000 from April. In May, the Commission paid 1,750 vouchers totaling \$1,099,142.74, a decrease of 81 vouchers and \$75,000 from April. There were two paper vouchers submitted and paid in May. The average price per voucher was \$628.59, up \$69.06 per voucher over April. Appeal and Post-Conviction Review cases had the highest average vouchers. There were 11 vouchers exceeding \$5,000 paid in May. The monthly transfer from the Judicial Branch for counsel fees for May, which reflects April's collections, totaled \$61,532.22.	

Agenda Item	Discussion	Outcome/Action Item/Responsible Party
	<p>Chair Carey raised the issue of continued payment of paper vouchers, suggesting that any attorney receiving payment should submit bills through DefenderData so as not to detract from the inclusiveness of the DefenderData statistics. Director Pelletier replied that many of the paper vouchers arose from the Commission assigning a lawyer to review potential errors in Maine Crime Lab DNA reports. This work, at least initially, does not pertain to a specific pending case and is not based on a formal assignment by the court. Director Pelletier stated that he was hesitant to include billing in DefenderData that was not based on a formal court assignment.</p> <p>Commissioner Logan stated that while he recognized Chair Carey's point, he did not feel that the number of paper vouchers, 16 in the first eleven months of the fiscal year, warranted changing practice. Chair Carey agreed, noting the particular difficulty of including cases in DefenderData that did not have a docket number.</p> <p>Chair Carey pointed out the large increase in the average price per voucher in May. Director Pelletier speculated that with a payment delay looming due to the budget shortfall, the attorneys were focused on submitting the largest of their invoices that were ready to be submitted. Commissioner Logan asked if payments from the revenue account were reflected in the DefenderData totals. Director Pelletier explained that DefenderData was able to pull funds from the revenue account to pay vouchers, that collected revenue was used exclusively to pay vouchers, and that voucher payments funded by the revenue account are included in the DefenderData statistics.</p> <p>With regard to vouchers over \$5,000, Chair Carey requested that future operations report memos include the amount, as well as the nature, of the vouchers being described.</p>	
Budget Update	Director Pelletier described the final Judiciary Committee votes on the MCILS budget, which were divided with 6 members voting to fund all MCILS budget requests, and 6 members voting for All Other funding FY'18 at the \$15.5 million FY'17 baseline and for FY'19 funding to be "parked" and only appropriated after recommendations of a working group (see below) were received and reviewed. All	

Agenda Item	Discussion	Outcome/Action Item/Responsible Party
	<p>voted to add an additional 2.8 million to FY'18 to cover the shortfall, and all voted for statutory changes the Committee had been working on, together with a working group to be created to review Commission operations and report back with recommendations. Director Pelletier related that the Committee vote did not endorse a "change package" that had been submitted by the Governor a few days earlier. The change package would have cut off MCILS funding on January 31, 2018, and set up a working group (different from the one endorsed by the Judiciary Committee) composed of the Commissioner of DAFS and the Director of the Office of Policy and Management.</p> <p>Director Pelletier then described the divided Appropriations Committee vote on the MCILS budget that largely mirrored the Judiciary Committee vote.</p> <p>Chair Carey related that the statutory changes recommended by the Judiciary Committee were themselves the product of a working group and that he had hoped that the changes would have been given a chance to work before yet another "study" was undertaken. Commissioner Glazier questioned whether the expectation behind the change package was that lawyers would keep working on indigent cases after 1/31/18 without any hope of getting paid. Chair Carey pointed out that he understood the proponents of the change package to be seeking legislative changes to the system to be enacted between the mid-January report of the change package work group and the end of January.</p> <p>Director Pelletier described the statute changes recommended by the Judiciary Committee as generally increase reporting and data gathering requirements, noting that the increased burden on the staff may create the need for additional staff.</p> <p>The discussion then turned to the working group recommended by the Judiciary Committee. Commissioner Glazier pointed out that the Clifford Commission had addressed this work prior to the Commission's creation and questioned the need for more study. Chair Carey noted that the proposed group included two prosecutors</p>	

Agenda Item	Discussion	Outcome/Action Item/Responsible Party
	<p>and questioned the role of prosecutors in overseeing the delivery of indigent legal services. Commissioner Logan pointed out that the prosecutors would only play a role in whatever recommendations came out of the work group, and that the Legislature would have the final say. Both Chair Carey and Commissioner Logan agreed that the work group would likely proceed, that MCILS should cooperate with that process, and that the Legislature would take or leave whatever recommendations came out of the process.</p>	
Process for New Initiatives	<p>Chair Carey then raised a new subject that was not on the Agenda: deciding on a process to promote follow-through on a number of changes to Commission procedure that had been discussed generally, but had not been implemented. Chair Carey suggested that rather than toss around a number of ideas at a meeting without getting to resolution on any of them, as had happened frequently in the past, the Commission should devote meeting time to one or two items per meeting and implement those items before moving on.</p> <p>A general discussion followed, after which the following procedure was agreed on. The staff would put together a list of initiatives or reforms to be considered for the next meeting. At that meeting, the Commission would prioritize the list to determine which items should be addressed first. Meetings thereafter would focus on one or two of the items with the goal of addressing the details necessary for implementation. Once an initiative was implemented, the Commission would move on to other items at subsequent meetings.</p>	
Public Comment	<p><u>Robert J. Ruffner, Esq.</u>: Attorney Ruffner cautioned the Commission against letting its experience with the Appeal RFP negatively affect its overall view of contracts for indigent legal services. He repeated his view that contracts can have value and questioned whether the reason the bids were high for the appeal contract was because the bidders would be providing work that was superior to what is being done currently.</p>	

Agenda Item	Discussion	Outcome/Action Item/Responsible Party
	<p>Attorney Ruffner urged the Commission to try to “change the narrative” so as to shift the focus of legislators from the cost of indigent legal services to a focus on the quality of the services being provided.</p> <p>Attorney Ruffner repeated his view that the Commission needs more staff, particularly with the added burdens being created by the Legislature, and that the Commission should assess and promulgate guidelines for attorney caseloads.</p>	
Adjournment of meeting	The Commission voted to adjourn with the next meeting to be on July 11, 2017 at 9:30 a.m.	Commissioner Logan moved to adjourn. Commissioner Glazier seconded. All present in favor.



**(2.)**  
**Operations Reports**  
**June 2017**

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## MAINE COMMISSION ON INDIGENT LEGAL SERVICES

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**TO:** MCILS COMMISSIONERS  
**FROM:** JOHN D. PELLETIER, EXECUTIVE DIRECTOR  
**SUBJECT:** JUNE 2017 OPERATIONS REPORTS  
**DATE:** JULY 24, 2017

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Attached you will find the June, 2017, Operations Reports for your review and our discussion at the upcoming Commission meeting. A summary of the operations reports follows:

- 2,097 new cases were opened in the DefenderData system in June. This was a 7 case decrease from May.
- The number of vouchers submitted electronically in June was 2,313, an increase of 321 vouchers over May, totaling \$1,234,964.34, an increase of \$141,000 over May. In June, we paid 166 electronic vouchers totaling \$76,960.15, representing a decrease of 1,584 vouchers and \$1,022,000 compared to May. The large decreases in vouchers paid were the result of our FY'17 budget shortfall.
- There were no paper vouchers submitted and paid in June.
- The average price per voucher in June was \$463.62, down \$164.97 per voucher from May. For fiscal year 2017, the overall average price per voucher was \$554.80, up \$24.11 per voucher over fiscal year 2016.
- Appeal and Termination of Parental Rights cases had the highest average vouchers in June. There were no vouchers exceeding \$5,000 paid in June.

In our All Other Account, the total expenses for the month of June were \$58,471.39. Of that amount, just under \$13,000 was devoted to the Commission's operating expenses.

In the Personal Services Account, we had \$43,030.48 in expenses for the month of June.

In the Revenue Account, the June transfer of collected revenue, reflecting May's collections, totaled \$73,595.33, up \$12,000.00 from the previous month. In June, we paid \$73,678.15 in vouchers through the DefenderData system. Collections received during FY'17 totaled \$698,372.29, down approximately \$6,000.00 from the amount collected in FY'16.

In our Conference Account, we collected registration fees for the June minimum standards trainings and paid expenses related to the juvenile training replays on May 18<sup>th</sup> and 25<sup>th</sup>. The account balance stands at \$14,977.46.

MAINE COMMISSION ON INDIGENT LEGAL SERVICES

Activity Report by Case Type

6/30/2017

DefenderData Case Type	Jun-17						Fiscal Year 2017			
	New Cases	Vouchers Submitted	Submitted Amount	Vouchers Paid	Approved Amount	Average Amount	Cases Opened	Vouchers Paid	Amount Paid	Average Amount
Appeal	15	13	\$ 10,741.40	2	\$ 2,964.00	\$ 1,482.00	183	251	\$ 398,700.75	\$ 1,588.45
Child Protection Petition	136	278	\$ 176,788.98	22	\$ 17,438.16	\$ 792.64	1,902	3,367	\$ 2,302,249.48	\$ 683.77
Drug Court	1	4	\$ 5,964.00	0			7	73	\$ 61,039.34	\$ 836.16
Emancipation	8	4	\$ 1,224.00	0			115	84	\$ 27,519.93	\$ 327.62
Felony	481	554	\$ 465,082.07	27	\$ 18,298.50	\$ 677.72	5,908	5,865	\$ 5,063,224.83	\$ 863.29
Involuntary Civil Commitment	79	52	\$ 11,708.93	5	\$ 2,077.80	\$ 415.56	867	702	\$ 161,980.78	\$ 230.74
Juvenile	61	60	\$ 23,506.38	8	\$ 3,040.45	\$ 380.06	849	872	\$ 432,004.27	\$ 495.42
Lawyer of the Day - Custody	207	212	\$ 50,151.64	32	\$ 6,925.80	\$ 216.43	2,712	2,327	\$ 566,097.67	\$ 243.27
Lawyer of the Day - Juvenile	42	38	\$ 6,867.16	5	\$ 918.00	\$ 183.60	492	385	\$ 75,002.58	\$ 194.81
Lawyer of the Day - Walk-in	92	87	\$ 20,261.84	4	\$ 780.00	\$ 195.00	1,515	1,282	\$ 311,848.61	\$ 243.25
Misdemeanor	725	658	\$ 276,940.20	46	\$ 17,390.36	\$ 378.05	8,218	7,432	\$ 3,102,078.33	\$ 417.39
Petition, Modified Release Treatment	0	11	\$ 4,474.61	0			9	45	\$ 23,224.39	\$ 516.10
Petition, Release or Discharge	0	2	\$ 492.00	0			4	10	\$ 4,422.67	\$ 442.27
Petition, Termination of Parental Rights	33	43	\$ 38,281.80	3	\$ 2,424.00	\$ 808.00	344	672	\$ 535,354.03	\$ 796.66
Post Conviction Review	4	2	\$ 2,928.00	0			81	80	\$ 145,799.12	\$ 1,822.49
Probate	0	0		0			11	6	\$ 6,635.74	\$ 1,105.96
Probation Violation	155	166	\$ 64,348.76	10	\$ 3,029.08	\$ 302.91	1,924	1,734	\$ 745,555.63	\$ 429.96
Represent Witness on 5th Amendment	3	5	\$ 2,016.00	0			17	12	\$ 3,747.82	\$ 312.32
Review of Child Protection Order	53	122	\$ 72,358.57	2	\$ 1,674.00	\$ 837.00	633	1,730	\$ 977,679.10	\$ 565.13
Revocation of Administrative Release	2	2	\$ 828.00	0			17	14	\$ 4,718.78	\$ 337.06
DefenderData Sub-Total	2,097	2,313	\$ 1,234,964.34	166	\$ 76,960.15	\$ 463.62	25,808	26,943	\$ 14,948,883.85	\$ 554.83
Paper Voucher Sub-Total	0	0	\$ -	0	\$ -	#DIV/0!	16	16	\$ 8,032.20	\$ 502.01
<b>TOTAL</b>	<b>2,097</b>	<b>2,313</b>	<b>\$1,234,964.34</b>	<b>166</b>	<b>\$76,960.15</b>	<b>\$ 463.62</b>	<b>25,824</b>	<b>26,959</b>	<b>\$ 14,956,916.05</b>	<b>\$ 554.80</b>

MAINE COMMISSION ON INDIGENT LEGAL SERVICES  
FY17 FUND ACCOUNTING  
AS OF 06/30/2017

Account 010 95F Z112 01 (All Other)	Mo.	Q1	Mo.	Q2	Mo.	Q3	Mo.	Q4	FY16 Total
FY17 Professional Services Allotment		\$ 4,278,098.25	\$	4,357,441.00	\$	4,712,015.00	\$	2,083,667.00	
FY17 General Operations Allotment		\$ 34,560.00	\$	34,560.00	\$	34,560.00	\$	34,560.00	
Financial Order Adjustment		\$ -	\$	-	\$	-	\$	-	
Financial Order Adjustment		\$ -	\$	-	\$	-	\$	-	
<b>Total Budget Allotments</b>		<b>\$ 4,312,658.25</b>	<b>\$</b>	<b>4,392,001.00</b>	<b>\$</b>	<b>4,746,575.00</b>	<b>\$</b>	<b>2,118,227.00</b>	<b>\$ 15,569,461.25</b>
Total Expenses	1	\$ (993,008.98)	4	\$ (1,499,285.92)	7	\$ (1,332,496.39)	10	\$ (1,121,248.66)	\$ (4,946,039.95)
	2	\$ (1,778,404.21)	5	\$ (974,177.24)	8	\$ (1,530,508.18)	11	\$ (1,034,305.69)	\$ (5,317,395.32)
	3	\$ (1,290,758.70)	6	\$ (1,949,070.52)	9	\$ (1,978,680.17)	12	\$ (58,471.39)	\$ (5,276,980.78)
Encumbrances (Somerset PDP & Justice Works)		\$ (249,075.75)	\$	82,110.25	\$	81,702.50	\$	82,504.00	\$ (2,759.00)
Encumbrances (WestLaw & Barbara Taylor, business cards)		\$ (1,410.00)	\$	(51,577.00)	\$	13,408.24	\$	13,296.74	\$ (26,282.02)
<b>TOTAL REMAINING</b>		<b>\$ 0.61</b>	<b>\$</b>	<b>0.57</b>	<b>\$</b>	<b>1.00</b>	<b>\$</b>	<b>2.00</b>	<b>\$ 4.18</b>

Q4 Month 12 (as of 06/30/17)	
<b>INDIGENT LEGAL SERVICES</b>	
Counsel Payments	\$ (3,282.00)
Somerset County	\$ (22,687.50)
Subpoena Witness Fees	\$ -
Private Investigators	\$ (4,578.75)
Mental Health Expert	\$ (5,743.75)
Transcripts	\$ (4,705.89)
Other Expert	\$ (4,500.00)
Analysts & Lab Services	\$ -
Process Servers	\$ (20.28)
Interpreters	\$ -
Misc Prof Fees & Serv	\$ -
<b>SUB-TOTAL ILS</b>	<b>\$ (45,518.17)</b>
<b>OPERATING EXPENSES</b>	
Service Center	\$ -
DefenderData	\$ (4,549.00)
West Publishing Corp	\$ -
Mileage/Tolls/Parking	\$ (1,349.63)
Mailing/Postage/Freight	\$ (543.81)
VDI reimbursement	\$ -
Bar Directories	\$ (110.00)
Office Supplies/Equip.	\$ -
Cellular Phones	\$ (126.07)
Parking Permits	\$ -
Office Equipment Rental	\$ (104.58)
Barbara Taylor monthly fees	\$ (4,333.33)
OIT/TELCO	\$ (1,836.80)
<b>SUB-TOTAL OE</b>	<b>\$ (12,953.22)</b>
<b>TOTAL</b>	<b>\$ (58,471.39)</b>

<b>INDIGENT LEGAL SERVICES</b>	
Q4 Allotment	\$ 2,118,227.00
Q4 Encumbrances for Somerset PDP & Justice Works contracts	\$ 82,504.00
WestLaw & Barbara Taylor Contracts, business card DO	\$ 13,296.74
Q4 Expenses as of 06/30/17	\$ (2,214,025.74)
Remaining Q4 Allotment as of 06/30/17	\$ 2.00

**MAINE COMMISSION ON INDIGENT LEGAL SERVICES**

**FY16 FUND ACCOUNTING**

As of 06/30/17

<b>Account 014 95F Z112 01 (Revenue)</b>	<b>Mo.</b>	<b>Q1</b>	<b>Mo.</b>	<b>Q2</b>	<b>Mo.</b>	<b>Q3</b>	<b>Mo.</b>	<b>Q4</b>	<b>FY16 Total</b>
<b>Total Budget Allotments</b>		\$ 184,125.00		\$ 184,124.00		\$ 184,124.00		\$ 184,124.00	\$ 736,497.00
Financial Order Adjustment	1	\$ -	4	\$ -	7	\$ -	10	\$ -	
Financial Order Adjustment	2	\$ -	5	\$ -	8	\$ -	11		
Budget Order Adjustment	3	\$ -	6	\$ -	9	\$ -	12	\$ -	
Budget Order Adjustment		\$ (26,670.00)		\$ (53,954.00)		\$ (8,177.00)	12	\$ 88,801.00	\$ -
<b>Total Budget Allotments</b>		\$ 157,455.00		\$ 130,170.00		\$ 175,947.00		\$ 272,925.00	\$ 736,497.00
Cash Carryover from Prior Quarter		\$ 23.05		\$ 2.73		\$ 4.15		\$ 122.07	
Collected Revenue from JB	1	\$ 61,742.47	4	\$ 42,429.56	7	\$ 37,557.56	10	\$ 94,260.31	
Promissory Note Payments		\$ -		\$ -		\$ -		\$ -	
Collected Revenue from JB	2	\$ 40,789.66	5	\$ 46,852.35	8	\$ 37,688.09	11	\$ 61,532.22	
Court Ordered Counsel Fee		\$ -		\$ -		\$ -		\$ 2,500.00	
Collected Revenue from JB (late transfer)		\$ -		\$ -	9	\$ -		\$ -	
Collected Revenue from JB	3	\$ 55,760.61	6	\$ 40,888.57	9	\$ 102,656.56	12	\$ 73,595.33	
Returned Checks-stopped payments		\$ -		\$ -		\$ 119.00		\$ -	
<b>TOTAL CASH PLUS REVENUE COLLECTED</b>		\$ 158,315.79		\$ 130,173.21		\$ 178,025.36		\$ 232,009.93	\$ 698,372.29
Counsel Payments	1	\$ -	4	\$ -	7	\$ -	10	\$ -	
Other Expenses		\$ -		\$ -		\$ -	***		
Counsel Payments	2	\$ -	5	\$ -	8	\$ -	11	\$ (148,770.82)	
Other Expenses		\$ -		\$ -		\$ -			
Counsel Payments	3	\$ (154,443.22)	6	\$ (127,679.31)	9	\$ (172,580.96)	12	\$ (73,678.15)	
Other Expenses	**	\$ (3,011.64)		\$ (2,489.75)	***	\$ (3,365.33)		\$ (4,337.75)	
<b>REMAINING ALLOTMENT</b>		\$ 0.14		\$ 0.94		\$ 0.71		\$ 46,138.28	\$ 46,140.07
Overpayment Reimbursements	1	\$ (100.00)	4	\$ -	7	\$ (1,938.00)	10	\$ -	
	2	\$ (713.20)	5	\$ -	8	\$ (19.00)	11	\$ (2,261.00)	
	3	\$ (45.00)	6	\$ -	9	\$ -	12	\$ -	
<b>REMAINING CASH Year to Date</b>		\$ 2.73		\$ 4.15		\$ 122.07		\$ 2,962.21	\$ 2,962.21

<b>Q4 Month 12 (as of 06/30/17)</b>	
<b>DEFENDER DATA COUNSEL PAYMENTS</b>	
	\$ 73,678.15
<b>SUB-TOTAL ILS</b>	\$ 73,678.15
<b>OVERPAYMENT REIMBURSEMENTS</b>	
Paper Voucher	\$ -
Somerset County CDs	\$ -
Private Investigators	\$ -
Mental Health Expert	\$ -
Transcripts	\$ -
Other Expert	\$ -
StaCap Expense	\$ (4,337.75)
<b>SUB-TOTAL OE</b>	\$ (4,337.75)
<b>TOTAL</b>	\$ 69,340.40

MAINE COMMISSION ON INDIGENT LEGAL SERVICES  
FY17 FUND ACCOUNTING  
AS OF 06/30/2017

<b>Account 010 95F Z112 01 (Personal Services)</b>	<b>Mo.</b>	<b>Q1</b>	<b>Mo.</b>	<b>Q2</b>	<b>Mo.</b>	<b>Q3</b>	<b>Mo.</b>	<b>Q4</b>	<b>FY16 Total</b>
FY17 Allotment	\$	181,545.00	\$	205,445.00	\$	181,540.00	\$	189,421.00	\$ -
Financial Order Adjustments	\$	-	\$	-	\$	-	\$	-	
Financial Order Adjustments					\$	-			
Budget Order Adjustments	\$	(10,747.00)	\$	(9,253.00)	\$	-	\$	20,000.00	
<b>Total Budget Allotments</b>	<b>\$</b>	<b>170,798.00</b>	<b>\$</b>	<b>196,192.00</b>	<b>\$</b>	<b>181,540.00</b>	<b>\$</b>	<b>209,421.00</b>	<b>\$ 757,951.00</b>
Total Expenses	1 \$	(55,554.51)	4 \$	(56,634.54)	7 \$	(55,808.36)	10 \$	(52,200.98)	
	2 \$	(58,643.85)	5 \$	(79,274.97)	8 \$	(51,737.55)	11 \$	(69,028.55)	
	3 \$	(56,599.36)	6 \$	(56,077.87)	9 \$	(52,374.18)	12 \$	(43,030.48)	
<b>TOTAL REMAINING</b>	<b>\$</b>	<b>0.28</b>	<b>\$</b>	<b>4,204.62</b>	<b>\$</b>	<b>21,619.91</b>	<b>\$</b>	<b>45,160.99</b>	<b>\$ 70,985.80</b>

<b>Q4 Month 12 (as of 06/30/17)</b>	
Per Diem Payments	\$ (330.00)
Salary	\$ (18,880.09)
Vacation Pay	\$ (539.79)
Holiday Pay	\$ (1,286.60)
Sick Pay	\$ (2,004.37)
Employee Hlth Svs/Workers Comp	\$ -
Health Insurance	\$ (7,344.00)
Dental Insurance	\$ (196.96)
Employer Retiree Health	\$ (2,713.63)
Employer Retirement	\$ (1,674.18)
Employer Group Life	\$ (204.60)
Employer Medicare	\$ (346.64)
Retiree Unfunded Liability	\$ (4,474.64)
Standard Overtime	\$ -
Perm Part Time Full Ben	\$ (3,034.98)
<b>TOTAL</b>	<b>\$ (43,030.48)</b>

**MAINE COMMISSION ON INDIGENT LEGAL SERVICES**

**FY17 FUND ACCOUNTING**

As of 06/30/17

<b>Account 014 95F Z112 02 (Conference)</b>	<b>Mo.</b>	<b>Q1</b>	<b>Mo.</b>	<b>Q2</b>	<b>Mo.</b>	<b>Q3</b>	<b>Mo.</b>	<b>Q4</b>	<b>FY16 Total</b>
<b>Total Budget Allotments</b>		\$ 10,000.00		\$ 20,000.00		\$ 20,000.00		\$ 7,000.00	\$ 57,000.00
Financial Order Adjustment				\$ -		\$ -		\$ -	
Financial Order Adjustment		\$ -		\$ -		\$ -			
Budget Order Adjustment		\$ (4,829.00)		\$ (11,508.00)		\$ (3,663.00)		\$ 20,000.00	\$ -
<b>Total Budget Allotments</b>		\$ 5,171.00		\$ 8,492.00		\$ 16,337.00		\$ 27,000.00	\$ 57,000.00
Cash Carryover from Prior Quarter		\$ 14,054.73		\$ 32,159.21		\$ 23,941.11		\$ 23,049.63	
Collected Revenue	1	\$ -	4	\$ 775.00	7	\$ -	10	\$ 975.00	
Collected Revenue	2	\$ 17,600.00	5	\$ 725.00	8	\$ -	11	\$ 500.00	
Collected Revenue	3	\$ 850.00	6	\$ 475.00	9	\$ 4,650.00	12	\$ 1,425.00	
<b>TOTAL CASH PLUS REVENUE COLLECTED</b>		\$ 32,504.73		\$ 34,134.21		\$ 28,591.11		\$ 25,949.63	\$ 27,975.00
Total Expenses	1	\$ (132.26)	4	\$ (6,686.13)	7	\$ (2,825.00)	10	\$ (336.75)	
	2	\$ (37.58)	5	\$ (2,288.90)	8	\$ (900.09)	11	\$ (8,935.81)	
	3	\$ (0.68)	6	\$ (1,241.00)	9	\$ (1,828.12)	12	\$ (1,699.61)	
Encumbrances		\$ (5,000.00)		\$ 1,725.00		\$ (7,175.00)		\$ 4,950.00	\$ (5,500.00)
<b>REMAINING ALLOTMENT</b>		\$ 0.48		\$ 0.97		\$ 3,608.79		\$ 20,977.83	\$ 24,588.07
<b>REMAINING CASH Year to Date</b>		\$ 32,159.21		\$ 23,918.18		\$ 23,037.90		\$ 14,977.46	

<b>Q4 Month 12 (as of 06/30/17)</b>	
Training Manuals Printing	\$ -
Training Refreshments/Meals	\$ (332.61)
Media Northeast	\$ -
Samoset room reservation fee	\$ (1,103.00)
Office Supplies	\$ (60.70)
State Cap Expense posted 7/6/17	\$ (28.18)
State Cap Expense	\$ (175.12)
<b>TOTAL</b>	<b>\$ (1,699.61)</b>



**MAINE COMMISSION ON INDIGENT LEGAL SERVICES**

**Activity Report by Court**

6/30/2017

Jun-17							Fiscal Year 2017			
Court	New Cases	Vouchers Submitted	Submitted Amount	Vouchers Paid	Approved Amount	Average Amount	Cases Opened	Vouchers Paid	Amount Paid	Average Amount
ALFSC	12	33	\$ 26,120.32	1	\$ 252.00	\$ 252.00	267	530	\$ 457,266.22	\$ 862.77
AUBSC	11	19	\$ 13,354.78	1	\$ 54.00	\$ 54.00	156	283	\$ 188,875.32	\$ 667.40
AUGDC	44	64	\$ 26,323.41	5	\$ 3,907.76	\$ 781.55	537	732	\$ 417,029.38	\$ 569.71
AUGSC	20	34	\$ 10,503.36	1	\$ 222.00	\$ 222.00	281	408	\$ 240,297.87	\$ 588.97
BANDC	46	56	\$ 19,696.59	6	\$ 2,455.80	\$ 409.30	638	872	\$ 326,765.80	\$ 374.73
BANSC	2	0		0			23	17	\$ 12,805.18	\$ 753.25
BATSC	0	1	\$ 477.00	0			15	16	\$ 15,383.57	\$ 961.47
BELDC	10	11	\$ 6,344.50	0			112	197	\$ 132,880.92	\$ 674.52
BELSC	1	3	\$ 1,430.00	0			25	32	\$ 17,023.91	\$ 532.00
BIDDC	65	91	\$ 60,784.76	6	\$ 5,841.00	\$ 973.50	750	823	\$ 438,979.16	\$ 533.39
BRIDC	13	11	\$ 4,737.36	0			150	167	\$ 97,066.85	\$ 581.24
CALDC	9	5	\$ 3,924.24	0			100	95	\$ 57,018.92	\$ 600.20
CARDC	14	7	\$ 8,280.00	0			85	148	\$ 102,035.96	\$ 689.43
CARSC	4	13	\$ 8,627.89	0			70	105	\$ 86,399.15	\$ 822.85
DOVDC	2	6	\$ 2,568.00	0			50	103	\$ 49,380.76	\$ 479.42
DOVSC	0	0		0			4	3	\$ 1,371.44	\$ 457.15
ELLDC	18	21	\$ 9,195.00	4	\$ 2,664.00	\$ 666.00	206	273	\$ 207,799.77	\$ 761.17
ELLSC	0	0		0			7	26	\$ 8,681.00	\$ 333.88
FARDC	7	16	\$ 8,444.34	0			125	164	\$ 117,805.71	\$ 718.33
FARSC	5	1	\$ 138.00	0			29	23	\$ 12,703.20	\$ 552.31
FORDC	8	5	\$ 2,734.12	1	\$ 1,923.00	\$ 1,923.00	57	70	\$ 35,203.47	\$ 502.91
HOUDC	13	26	\$ 14,697.37	1	\$ 396.00	\$ 396.00	194	256	\$ 110,926.81	\$ 433.31
HOUSC	0	0		1	\$ 318.00	\$ 318.00	24	47	\$ 27,863.33	\$ 592.84
LEWDC	93	104	\$ 47,323.12	13	\$ 4,246.70	\$ 326.67	934	1,114	\$ 562,739.76	\$ 505.15
LINDC	7	6	\$ 2,642.44	0			106	210	\$ 110,395.44	\$ 525.69
MACDC	2	8	\$ 9,800.16	2	\$ 1,518.00	\$ 759.00	126	159	\$ 75,569.76	\$ 475.28
MACSC	1	1	\$ 246.00	0			18	32	\$ 10,009.48	\$ 312.80
MADDC	1	2	\$ 509.36	0			25	35	\$ 10,825.41	\$ 309.30
MILDC	0	0		0			38	45	\$ 15,415.56	\$ 342.57
NEWDC	12	30	\$ 10,648.30	0			216	301	\$ 127,411.32	\$ 423.29
PORDC	82	72	\$ 29,091.94	6	\$ 4,224.00	\$ 704.00	949	1,165	\$ 638,465.68	\$ 548.04
PORSC	0	0		0			36	28	\$ 33,109.92	\$ 1,182.50
PREDC	21	32	\$ 19,489.91	2	\$ 1,139.75	\$ 569.88	216	277	\$ 151,989.16	\$ 548.70
ROCD	12	15	\$ 6,622.40	1	\$ 150.00	\$ 150.00	211	255	\$ 117,399.75	\$ 460.39
ROCSC	3	2	\$ 719.20	0			37	61	\$ 43,419.77	\$ 711.80
RUMDC	4	12	\$ 2,869.20	0			124	131	\$ 59,327.97	\$ 452.89
SKODC	9	23	\$ 14,253.72	1	\$ 360.00	\$ 360.00	217	467	\$ 252,407.21	\$ 540.49
SKOSC	0	0		0			2	0		
SOUDC	7	6	\$ 2,490.00	1	\$ 774.00	\$ 774.00	98	172	\$ 94,051.30	\$ 546.81
SOUSC	2	6	\$ 3,991.80	0			67	117	\$ 69,304.08	\$ 592.34
SPRDC	50	59	\$ 38,287.98	2	\$ 879.40	\$ 439.70	672	797	\$ 445,285.05	\$ 558.70
Law Ct	12	9	\$ 8,249.22	2	\$ 2,964.00	\$ 1,482.00	137	193	\$ 318,099.21	\$ 1,648.18
YORCD	196	238	\$ 172,597.77	9	\$ 4,569.00	\$ 507.67	2,205	1,729	\$ 1,206,104.43	\$ 697.57
AROCD	80	61	\$ 35,618.78	15	\$ 4,170.60	\$ 278.04	1,010	879	\$ 497,184.37	\$ 565.62
ANDCD	147	112	\$ 53,964.17	14	\$ 5,100.00	\$ 364.29	1,433	1,239	\$ 683,503.14	\$ 551.66
KENCD	145	163	\$ 86,670.42	3	\$ 1,691.40	\$ 563.80	1,874	1,671	\$ 733,275.38	\$ 438.82
PENCD	206	228	\$ 93,189.15	14	\$ 5,448.24	\$ 389.16	2,452	2,206	\$ 1,023,173.91	\$ 463.81
SAGCD	30	32	\$ 15,437.86	5	\$ 1,966.50	\$ 393.30	337	336	\$ 214,925.90	\$ 639.66
WALCD	31	46	\$ 18,787.14	0			325	311	\$ 157,838.06	\$ 507.52
PISCD	23	15	\$ 2,316.00	0			135	113	\$ 30,091.92	\$ 266.30
HANCD	52	48	\$ 21,386.50	7	\$ 3,516.00	\$ 502.29	675	573	\$ 266,877.13	\$ 465.75
FRACD	30	38	\$ 23,092.60	7	\$ 4,470.64	\$ 638.66	530	499	\$ 273,185.84	\$ 547.47
WASCD	32	29	\$ 13,798.12	1	\$ 96.00	\$ 96.00	391	324	\$ 100,923.20	\$ 311.49
CUMCD	300	268	\$ 162,940.29	19	\$ 7,671.80	\$ 403.78	3,891	3,582	\$ 2,135,106.95	\$ 596.07
KNOCD	50	49	\$ 26,865.86	1	\$ 379.48	\$ 379.48	560	507	\$ 284,432.13	\$ 561.01
SOMCD	1	0		0			15	15	\$ 29,322.04	\$ 1,954.80
OXFCD	56	63	\$ 20,738.76	11	\$ 2,706.08	\$ 246.01	689	603	\$ 288,958.10	\$ 479.20
LINCD	36	30	\$ 20,588.37	1	\$ 477.00	\$ 477.00	412	334	\$ 180,568.21	\$ 540.62
WATDC	17	41	\$ 19,775.15	0			262	460	\$ 234,765.64	\$ 510.36
WESDC	28	16	\$ 3,180.00	0			244	298	\$ 124,741.98	\$ 418.60
WISDC	4	10	\$ 9,671.37	1	\$ 150.00	\$ 150.00	71	103	\$ 73,337.03	\$ 712.01
WISSC	1	0		0			16	27	\$ 11,703.64	\$ 433.47
YORDC	10	16	\$ 8,730.24	1	\$ 258.00	\$ 258.00	147	185	\$ 102,075.32	\$ 551.76
<b>TOTAL</b>	<b>2,097</b>	<b>2,313</b>	<b>\$ 1,234,964.34</b>	<b>166</b>	<b>\$ 76,960.15</b>	<b>\$ 463.62</b>	<b>25,808</b>	<b>26,943</b>	<b>\$ 14,948,883.85</b>	<b>\$ 554.83</b>



# MAINE COMMISSION ON INDIGENT LEGAL SERVICES

## Number of Attorneys Rostered by Court

06/30/2017

Court	Rostered Attorneys
Augusta District Court	99
Bangor District Court	51
Belfast District Court	53
Biddeford District Court	135
Bridgton District Court	98
Calais District Court	12
Caribou District Court	18
Dover-Foxcroft District Court	25
Ellsworth District Court	43
Farmington District Court	29
Fort Kent District Court	10
Houlton District Court	14
Lewiston District Court	127
Lincoln District Court	27
Machias District Court	18
Madawaska District Court	11
Millinocket District Court	20
Newport District Court	36
Portland District Court	158
Presque Isle District Court	14
Rockland District Court	45
Rumford District Court	25
Skowhegan District Court	24

Court	Rostered Attorneys
South Paris District Court	57
Springvale District Court	122
Unified Criminal Docket Alfred	113
Unified Criminal Docket Aroostook	24
Unified Criminal Docket Auburn	102
Unified Criminal Docket Augusta	89
Unified Criminal Docket Bangor	54
Unified Criminal Docket Bath	92
Unified Criminal Docket Belfast	49
Unified Criminal Docket Dover Foxcroft	22
Unified Criminal Docket Ellsworth	42
Unified Criminal Docket Farmington	31
Unified Criminal Docket Machias	18
Unified Criminal Docket Portland	152
Unified Criminal Docket Rockland	39
Unified Criminal Docket Skowhegan	18
Unified Criminal docket Soperth Paris	93
Unified Criminal Docket Wiscasset	58
Waterville District Court	49
West Bath District Court	113
Wiscasset District Court	63
York District Court	107

**(3.)**  
**Operations Reports**  
**July 2017**

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**MAINE COMMISSION ON INDIGENT LEGAL SERVICES**

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**TO:** MCILS COMMISSIONERS  
**FROM:** JOHN D. PELLETIER, EXECUTIVE DIRECTOR  
**SUBJECT:** JULY 2017 OPERATIONS REPORTS  
**DATE:** AUGUST 1, 2017

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Attached you will find the July, 2017, Operations Reports for your review and our discussion at the Commission meeting on August 8, 2017. A summary of the operations reports follows:

- 2,091 new cases were opened in the DefenderData system in July. This was a 6 case decrease from June.
- The number of vouchers submitted electronically in July was 2,587, an increase of 274 vouchers over June, totaling \$1,479,530.84, an increase of \$245,000 over June. In July, we paid 5,160 electronic vouchers totaling \$2,749,134.43, representing an increase of 4,994 vouchers and \$2,673,000 compared to June. The large increases in vouchers paid were the result of paying carry-over vouchers as a result of the FY'17 budget shortfall.
- There were 3 paper vouchers submitted and paid in July totaling \$1,086.00.
- The average price per voucher in July was \$532.68, up \$69.06 per voucher from June, but well below the overall average price per voucher for FY'17 of \$554.80.
- Appeal and Post-Conviction Review cases had the highest average vouchers in July. There were 20 vouchers exceeding \$5,000 paid in July. See attached addendum for details.
- In July, we issued 88 authorizations to expend funds: 60 for private investigators, 23 for experts, and 5 for miscellaneous services such as interpreters and transcriptionists. In July, we paid \$144,315.13 for experts and investigators, etc. Of this amount, \$78,767.05 was carried over from FY'17 due to the budget shortfall.

In our All Other Account, the total expenses for the month of July were \$2,928,724.58. Of that amount, just over \$10,000 was devoted to the Commission's operating expenses.

In the Personal Services Account, we had \$49,204.29 in expenses for the month of July.

In the Revenue Account, the July transfer of collected revenue, reflecting June's collections, totaled \$43,709.11, down \$30,000.00 from the previous month.

In our Conference Account, we paid the last remaining expenses related to the juvenile training replays on May 18<sup>th</sup> and 25<sup>th</sup> and the June minimum standard replays. The account balance stands at \$13,382.81.

# VOUCHERS EXCEEDING \$5,000 PAID JULY 2017

Murder case. Defendant found guilty after 7-day jury trial	\$24,687
Multiple sex offense charges. Hung jury on Gross Sexual Assault charge, not guilty on multiple other sex offense counts. Defense was duress by co-defendant. Two days of jury selection, plus three days of trial.	\$18,030
Theft/embezzlement. Pleas of guilty 3 and one-half years into the case. Massive discovery. Client not English speaker. Co-Defendant involved.	\$11,894
Double Murder charges dismissed on eve of trial. Pleas to Manslaughter with a 10-year cap.	\$11,843
Home invasion. Robbery and sexual assault charges among many others. Case prepared for trial when most counts indicted federally. Counsel then worked to successfully obtain concurrent sentence on remaining state sex offense charge.	\$10,938
Retrial of sex offense case after initial conviction vacated on appeal. Hung jury after 4-day trial. Defense involved investigating timeline of offenses and alibi.	\$10,524
Theft/embezzlement. Co-defendant to third case above. Case dismissed on Giglio grounds after 3 days of jury selection	\$10,368
Sexual Abuse of a Minor. Client failed to appear for trial. Litigation over late provided discovery. Large DHHS file. Prep for jury selection included review of sex offense questionnaires.	\$7,495
Appeal from Murder conviction. New counsel on appeal. Six-day trial.	\$7,392
Robbery/Aggravated assault charges dismissed after litigation on suppression of cell location data and out-of court and in-court identification.	\$6,800
Theft/Embezzlement. Co-counsel on case that was dismissed on Giglio grounds.	\$6,777
Pleas to drug trafficking charge. Contested suppression motions with briefs required after hearing. Contested sentencing with sentencing memo.	\$6,599
Embezzlement/Fraud. Pleas of guilty after jury selection. Extensive trial preparation involving voluminous and complication financial evidence.	\$6,498
Arson case initially charged as Aggravated Attempted Murder. Mental health issues. Giglio issues litigated. Client requested new counsel on eve of trial.	\$6,042
Embezzlement/Fraud. Pleas of guilty after jury selection. Extensive trial preparation involving voluminous and complication financial evidence. Co-counsel on case two cases above.	\$5,910

Post-Conviction Review of Gross Sexual Assault conviction. Denied after hearing. Case took two years. Hearings were in Machias and counsel from Mid-Coast.	\$5,645
Combined voucher on four distinct felony dockets. Charges included Robbery and Sex Trafficking. All felonies dismissed at jury selection in return for misdemeanor pleas.	\$5,485
Two-day jury trial on Theft/Forgery charges. Complicated discovery with a dozen potential witnesses. Client found guilty.	\$5,454
Plea to Assault on an Officer. Case took a year and one-half. Counsel attended three jury selection sessions without case being reached and client then decided to plead.	\$5,319
Two day trial on Domestic Violence Assault. Client found Not Guilty.	\$5,307

**MAINE COMMISSION ON INDIGENT LEGAL SERVICES**

**Activity Report by Case Type**

7/31/2017

DefenderData Case Type	Jul-17						Fiscal Year 2018			
	New Cases	Vouchers Submitted	Submitted Amount	Vouchers Paid	Approved Amount	Average Amount	Cases Opened	Vouchers Paid	Amount Paid	Average Amount
Appeal	16	22	\$ 39,575.30	40	\$ 59,857.40	\$ 1,496.44	16	40	\$ 59,857.40	\$ 1,496.44
Child Protection Petition	152	366	\$ 238,793.90	655	\$ 400,805.47	\$ 611.92	152	655	\$ 400,805.47	\$ 611.92
Drug Court	2	14	\$ 9,339.00	16	\$ 12,578.00	\$ 786.13	2	16	\$ 12,578.00	\$ 786.13
Emancipation	9	9	\$ 4,621.40	12	\$ 5,699.80	\$ 474.98	9	12	\$ 5,699.80	\$ 474.98
Felony	452	544	\$ 543,875.46	1,184	\$ 1,020,451.45	\$ 861.87	452	1,184	\$ 1,020,451.45	\$ 861.87
Involuntary Civil Commitment	95	73	\$ 18,401.09	144	\$ 31,971.74	\$ 222.03	95	144	\$ 31,971.74	\$ 222.03
Juvenile	68	58	\$ 28,138.00	128	\$ 54,893.42	\$ 428.85	68	128	\$ 54,893.42	\$ 428.85
Lawyer of the Day - Custody	213	246	\$ 55,168.27	483	\$ 112,588.83	\$ 233.10	213	483	\$ 112,588.83	\$ 233.10
Lawyer of the Day - Juvenile	38	47	\$ 8,295.21	96	\$ 18,169.72	\$ 189.27	38	96	\$ 18,169.72	\$ 189.27
Lawyer of the Day - Walk-in	97	117	\$ 27,813.72	237	\$ 53,401.28	\$ 225.32	97	237	\$ 53,401.28	\$ 225.32
Misdemeanor	741	726	\$ 308,701.68	1,417	\$ 589,793.63	\$ 416.23	741	1,417	\$ 589,793.63	\$ 416.23
Petition, Modified Release Treatment	0	4	\$ 863.78	13	\$ 4,901.99	\$ 377.08	0	13	\$ 4,901.99	\$ 377.08
Petition, Release or Discharge	0	3	\$ 1,869.20	3	\$ 1,868.10	\$ 622.70	0	3	\$ 1,868.10	\$ 622.70
Petition, Termination of Parental Rights	16	47	\$ 35,161.52	83	\$ 66,198.98	\$ 797.58	16	83	\$ 66,198.98	\$ 797.58
Post Conviction Review	3	7	\$ 18,344.78	7	\$ 13,863.30	\$ 1,980.47	3	7	\$ 13,863.30	\$ 1,980.47
Probate	2	1	\$ 858.00	0			2	0		
Probation Violation	152	168	\$ 69,505.85	348	\$ 142,878.80	\$ 410.57	152	348	\$ 142,878.80	\$ 410.57
Represent Witness on 5th Amendment	3	2	\$ 1,221.04	9	\$ 2,933.24	\$ 325.92	3	9	\$ 2,933.24	\$ 325.92
Review of Child Protection Order	30	132	\$ 68,527.64	283	\$ 155,451.28	\$ 549.30	30	283	\$ 155,451.28	\$ 549.30
Revocation of Administrative Release	2	1	\$ 456.00	2	\$ 828.00	\$ 414.00	2	2	\$ 828.00	\$ 414.00
<b>DefenderData Sub-Total</b>	<b>2,091</b>	<b>2,587</b>	<b>\$ 1,479,530.84</b>	<b>5,160</b>	<b>\$ 2,749,134.43</b>	<b>\$ 532.78</b>	<b>2,091</b>	<b>5,160</b>	<b>\$ 2,749,134.43</b>	<b>\$ 532.78</b>
<b>Paper Voucher Sub-Total</b>	<b>3</b>	<b>3</b>	<b>\$ 1,086.00</b>	<b>3</b>	<b>\$ 1,086.00</b>	<b>\$ 362.00</b>	<b>3</b>	<b>3</b>	<b>\$ 1,086.00</b>	<b>\$ 362.00</b>
<b>TOTAL</b>	<b>2,094</b>	<b>2,590</b>	<b>\$1,480,616.84</b>	<b>5,163</b>	<b>\$2,750,220.43</b>	<b>\$ 532.68</b>	<b>2,094</b>	<b>5,163</b>	<b>\$ 2,750,220.43</b>	<b>\$ 532.68</b>

MAINE COMMISSION ON INDIGENT LEGAL SERVICES  
FY18 FUND ACCOUNTING  
AS OF 07/31/2017

Account 010 95F Z112 01 (All Other)	Mo.	Q1	Mo.	Q2	Mo.	Q3	Mo.	Q4	FY16 Total
FY18 Professional Services Allotment		\$ 7,105,602.00		\$ 4,350,001.00		\$ 4,704,575.00		\$ 4,898,227.00	
FY18 General Operations Allotment		\$ 42,000.00		\$ 42,000.00		\$ 42,000.00		\$ 42,000.00	
Financial Order Adjustment		\$ -		\$ -		\$ -		\$ -	
Encumbered Balance Forward FY17		\$ 28,759.02		\$ -		\$ -		\$ -	
<b>Total Budget Allotments</b>		<b>\$ 7,176,361.02</b>		<b>\$ 4,392,001.00</b>		<b>\$ 4,746,575.00</b>		<b>\$ 4,940,227.00</b>	<b>\$ 21,255,164.02</b>
Total Expenses	1	\$ (2,928,724.58)	4	\$ -	7	\$ -	10	\$ -	\$ (2,928,724.58)
	2	\$ -	5	\$ -	8	\$ -	11	\$ -	\$ -
	3	\$ -	6	\$ -	9	\$ -	12	\$ -	\$ -
Encumbrances (Somerset PDP & Justice Works)		\$ (320,171.00)		\$ -		\$ -		\$ -	\$ (320,171.00)
Encumbrances (Barbara Taylor, envelopes)		\$ (21,856.19)		\$ -		\$ -		\$ -	\$ (21,856.19)
<b>TOTAL REMAINING</b>		<b>\$ 3,905,609.25</b>		<b>\$ 4,392,001.00</b>		<b>\$ 4,746,575.00</b>		<b>\$ 4,940,227.00</b>	<b>\$ 17,984,412.25</b>

Q1 Month 1	
<b>INDIGENT LEGAL SERVICES</b>	
Counsel Payments	\$ (2,750,220.43)
Somerset County	\$ (23,962.50)
Subpoena Witness Fees	\$ (128.24)
Private Investigators	\$ (35,043.01)
Mental Health Expert	\$ (29,375.28)
Transcripts	\$ (41,585.00)
Other Expert	\$ (33,644.18)
Air fare-out of state witness	\$ -
Process Servers	\$ (2,016.07)
Interpreters	\$ (1,856.85)
Misc Prof Fees & Serv	\$ (666.50)
<b>SUB-TOTAL ILS</b>	<b>\$ (2,918,498.06)</b>
<b>OPERATING EXPENSES</b>	
Service Center	\$ -
DefenderData	\$ (4,650.50)
Risk Management Insurances	\$ (46.94)
Mileage/Tolls/Parking	\$ (860.20)
Mailing/Postage/Freight	\$ (180.43)
West Publishing Corp	\$ (40.94)
Annual Report Print Cost	\$ -
Office Supplies/Equip.	\$ -
Cellular Phones	\$ (114.18)
Subscriptions	\$ -
Office Equipment Rental	\$ -
Notary Fees	\$ -
Barbara Taylor monthly fees	\$ (4,333.33)
<b>SUB-TOTAL OE</b>	<b>\$ (10,226.52)</b>
<b>TOTAL</b>	<b>\$ (2,928,724.58)</b>

<b>INDIGENT LEGAL SERVICES</b>	
Q1 Allotment	\$ 7,176,361.02
Q1 Encumbrances for Somerset PDP & Justice Works contracts	\$ (320,171.00)
Barbara Taylor Contract, envelopes	\$ (21,856.19)
Q1 Expenses to date	\$ (2,928,724.58)
<b>Remaining Q1 Allotment</b>	<b>\$ 3,905,609.25</b>

<b>Non-Counsel Indigent Legal Services</b>	
Monthly Total	\$ (144,315.13)
Total Q1	\$ (144,315.13)
Total Q2	\$ -
Total Q3	\$ -
Total Q4	\$ -
<b>Fiscal Year Total</b>	<b>\$ (144,315.13)</b>



MAINE COMMISSION ON INDIGENT LEGAL SERVICES  
FY18 FUND ACCOUNTING  
As of 07/31/17

Account 014 95F Z112 01 (Revenue)	Mo.	Q1	Mo.	Q2	Mo.	Q3	Mo.	Q4	FY18 Total
<b>Total Budget Allotments</b>		\$ 184,125.00		\$ 184,124.00		\$ 184,124.00		\$ 184,124.00	\$ 736,497.00
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	\$ -	\$ -
<b>Total Budget Allotments</b>		\$ 184,125.00		\$ 184,124.00		\$ 184,124.00		\$ 184,124.00	\$ 736,497.00
Cash Carryover from Prior Quarter		\$ 2,962.21		\$ -		\$ -		\$ -	
Collected Revenue from JB	1	\$ 43,709.11	4	\$ -	7	\$ -	10	\$ -	
Promissory Note Payments		\$ -		\$ -		\$ -		\$ -	
Collected Revenue from JB	2	\$ -	5	\$ -	8	\$ -	11	\$ -	
Court Ordered Counsel Fee		\$ -		\$ -		\$ -		\$ -	
Collected Revenue from JB (late transfer)		\$ -		\$ -	9	\$ -		\$ -	
Collected Revenue from JB	3	\$ -	6	\$ -	9	\$ -	12	\$ -	
Returned Checks-stopped payments		\$ -		\$ -		\$ -		\$ -	
<b>TOTAL CASH PLUS REVENUE COLLECTED</b>		\$ 46,671.32		\$ -		\$ -		\$ -	\$ 46,671.32
Counsel Payments	1	\$ -	4	\$ -	7	\$ -	10	\$ -	
Other Expenses		\$ -		\$ -		\$ -	***	\$ -	
Counsel Payments	2	\$ -	5	\$ -	8	\$ -	11	\$ -	
Other Expenses		\$ -		\$ -		\$ -		\$ -	
Counsel Payments	3	\$ -	6	\$ -	9	\$ -	12	\$ -	
Other Expenses		\$ -		\$ -		\$ -		\$ -	
<b>REMAINING ALLOTMENT</b>		\$ 184,125.00		\$ 184,124.00		\$ 184,124.00		\$ 184,124.00	\$ 736,497.00
Overpayment Reimbursements	1	\$ -	4	\$ -	7	\$ -	10	\$ -	
	2	\$ -	5	\$ -	8	\$ -	11	\$ -	
	3	\$ -	6	\$ -	9	\$ -	12	\$ -	
<b>REMAINING CASH Year to Date</b>		\$ 46,671.32		\$ -		\$ -		\$ -	\$ -

<b>Q1 Month 1</b>	
DEFENDER DATA COUNSEL PAYMENTS	
	\$ -
<b>SUB-TOTAL ILS</b>	\$ -
OVERPAYMENT REIMBURSEMENTS	
Paper Voucher	\$ -
Somerset County CDs	\$ -
Private Investigators	\$ -
Mental Health Expert	\$ -
Transcripts	\$ -
Other Expert	\$ -
StaCap Expense	\$ -
<b>SUB-TOTAL OE</b>	\$ -
<b>TOTAL</b>	\$ -

**MAINE COMMISSION ON INDIGENT LEGAL SERVICES**

**FY18 FUND ACCOUNTING**

AS OF 07/31/2017

<b>Account 010 95F Z112 01 (Personal Services)</b>	<b>Mo.</b>	<b>Q1</b>	<b>Mo.</b>	<b>Q2</b>	<b>Mo.</b>	<b>Q3</b>	<b>Mo.</b>	<b>Q4</b>	<b>FY16 Total</b>
FY18 Allotment	\$	191,878.00	\$	216,894.00	\$	191,873.00	\$	184,672.00	\$ -
Financial Order Adjustments	\$	-	\$	-	\$	-	\$	-	
Financial Order Adjustments	\$	-	\$	-	\$	-	\$	-	
Budget Order Adjustments	\$	-	\$	-	\$	-	\$	-	
<b>Total Budget Allotments</b>	<b>\$</b>	<b>191,878.00</b>	<b>\$</b>	<b>216,894.00</b>	<b>\$</b>	<b>191,873.00</b>	<b>\$</b>	<b>184,672.00</b>	<b>\$ 785,317.00</b>
Total Expenses	1 \$	(49,204.29)	4 \$	-	7 \$	-	10 \$	-	
	2 \$	-	5 \$	-	8 \$	-	11 \$	-	
	3 \$	-	6 \$	-	9 \$	-	12 \$	-	
<b>TOTAL REMAINING</b>	<b>\$</b>	<b>142,673.71</b>	<b>\$</b>	<b>216,894.00</b>	<b>\$</b>	<b>191,873.00</b>	<b>\$</b>	<b>184,672.00</b>	<b>\$ 736,112.71</b>

<b>Q1 Month 1 (as of 07/31/17)</b>	
Per Diem Payments	\$ -
Salary	\$ (20,711.77)
Vacation Pay	\$ (2,445.30)
Holiday Pay	\$ (1,561.48)
Sick Pay	\$ (743.61)
Employee Hlth Svs/Workers Comp	\$ -
Health Insurance	\$ (8,230.10)
Dental Insurance	\$ (210.09)
Employer Retiree Health	\$ (3,155.57)
Employer Retirement	\$ (1,770.11)
Employer Group Life	\$ (255.15)
Employer Medicare	\$ (392.87)
Retiree Unfunded Liability	\$ (5,781.72)
Retro Pymt	\$ (1,099.68)
Perm Part Time Full Ben	\$ (2,846.84)
<b>TOTAL</b>	<b>\$ (49,204.29)</b>

MAINE COMMISSION ON INDIGENT LEGAL SERVICES  
FY18 FUND ACCOUNTING  
As of 07/31/17

Account 014 95F Z112 02 (Conference)	Mo.	Q1	Mo.	Q2	Mo.	Q3	Mo.	Q4	FY18 Total
Total Budget Allotments		\$ 20,500.00		\$ 15,000.00		\$ 15,000.00		\$ 12,000.00	\$ 62,500.00
Financial Order Adjustment				\$ -		\$ -		\$ -	
Financial Order Adjustment		\$ -		\$ -		\$ -			
Budget Order Adjustment		\$ -		\$ -		\$ -		\$ -	\$ -
Total Budget Allotments		\$ 20,500.00		\$ 15,000.00		\$ 15,000.00		\$ 12,000.00	\$ 62,500.00
Cash Carryover from Prior Quarter		\$ 14,942.80		\$ -		\$ -		\$ -	
Collected Revenue	1	\$ -	4	\$ -	7	\$ -	10	\$ -	
Collected Revenue	2	\$ -	5	\$ -	8	\$ -	11	\$ -	
Collected Revenue	3	\$ -	6	\$ -	9	\$ -	12	\$ -	
TOTAL CASH PLUS REVENUE COLLECTED		\$ 14,942.80		\$ -		\$ -		\$ -	\$ -
Total Expenses	1	\$ (1,559.99)	4	\$ -	7	\$ -	10	\$ -	
	2	\$ -	5	\$ -	8	\$ -	11	\$ -	
	3	\$ -	6	\$ -	9	\$ -	12	\$ -	
Encumbrances		\$ (5,500.00)		\$ -		\$ -		\$ -	\$ (5,500.00)
REMAINING ALLOTMENT		\$ 13,440.01		\$ 15,000.00		\$ 15,000.00		\$ 12,000.00	\$ 55,440.01
REMAINING CASH Year to Date		\$ 13,382.81		\$ -		\$ -		\$ -	\$ 13,382.81

Q1 Month 1	
Training Manuals Printing	\$ -
Training Refreshments/Meals	\$ (1,459.99)
Media Northeast	\$ -
Training Facility Fees	\$ (100.00)
Office Supplies	\$ -
State Cap Expense posted 7/6/17	\$ -
State Cap Expense	\$ -
<b>TOTAL</b>	<b>\$ (1,559.99)</b>

**MAINE COMMISSION ON INDIGENT LEGAL SERVICES**

**Activity Report by Court**

7/31/2017

Jul-17							Fiscal Year 2018			
Court	New Cases	Vouchers Submitted	Submitted Amount	Vouchers Paid	Approved Amount	Average Amount	Cases Opened	Vouchers Paid	Amount Paid	Average Amount
ALFSC	11	26	\$ 20,448.44	63	\$ 43,432.71	\$ 689.41	11	63	\$ 43,432.71	\$ 689.41
AUBSC	10	15	\$ 11,609.64	37	\$ 42,419.53	\$ 1,146.47	10	37	\$ 42,419.53	\$ 1,146.47
AUGDC	50	71	\$ 34,013.91	146	\$ 62,842.10	\$ 430.43	50	146	\$ 62,842.10	\$ 430.43
AUGSC	27	31	\$ 20,499.72	76	\$ 35,998.84	\$ 473.67	27	76	\$ 35,998.84	\$ 473.67
BANDC	63	101	\$ 38,030.60	180	\$ 58,327.07	\$ 324.04	63	180	\$ 58,327.07	\$ 324.04
BANSC	3	2	\$ 196.80	4	\$ 1,632.06	\$ 408.02	3	4	\$ 1,632.06	\$ 408.02
BATSC	0	1	\$ 150.00	2	\$ 1,033.00	\$ 516.50	0	2	\$ 1,033.00	\$ 516.50
BELDC	11	33	\$ 20,439.76	32	\$ 16,892.06	\$ 527.88	11	32	\$ 16,892.06	\$ 527.88
BELSC	0	1	\$ 1,426.40	4	\$ 2,856.40	\$ 714.10	0	4	\$ 2,856.40	\$ 714.10
BIDDC	59	63	\$ 34,009.38	167	\$ 94,770.02	\$ 567.49	59	167	\$ 94,770.02	\$ 567.49
BRIDC	9	19	\$ 9,956.92	30	\$ 14,359.04	\$ 478.63	9	30	\$ 14,359.04	\$ 478.63
CALDC	3	12	\$ 8,925.36	14	\$ 12,340.56	\$ 881.47	3	14	\$ 12,340.56	\$ 881.47
CARDC	9	17	\$ 8,869.89	23	\$ 17,456.19	\$ 758.96	9	23	\$ 17,456.19	\$ 758.96
CARSC	15	21	\$ 31,369.26	33	\$ 17,735.51	\$ 537.44	15	33	\$ 17,735.51	\$ 537.44
DOVDC	3	4	\$ 1,026.00	20	\$ 5,490.00	\$ 274.50	3	20	\$ 5,490.00	\$ 274.50
DOVSC	0	0		1	\$ 24.00	\$ 24.00	0	1	\$ 24.00	\$ 24.00
ELLDC	12	32	\$ 16,764.00	47	\$ 22,251.00	\$ 473.43	12	47	\$ 22,251.00	\$ 473.43
ELLSC	1	8	\$ 1,536.00	8	\$ 1,536.00	\$ 192.00	1	8	\$ 1,536.00	\$ 192.00
FARDC	14	13	\$ 4,468.51	27	\$ 15,137.65	\$ 560.65	14	27	\$ 15,137.65	\$ 560.65
FARSC	1	1	\$ 1,016.28	3	\$ 1,739.28	\$ 579.76	1	3	\$ 1,739.28	\$ 579.76
FORDC	4	1	\$ 1,271.71	8	\$ 4,833.03	\$ 604.13	4	8	\$ 4,833.03	\$ 604.13
HOUDC	32	22	\$ 6,624.50	55	\$ 23,315.13	\$ 423.91	32	55	\$ 23,315.13	\$ 423.91
HOUSC	0	3	\$ 1,848.40	1	\$ 1,000.04	\$ 1,000.04	0	1	\$ 1,000.04	\$ 1,000.04
LEWDC	54	104	\$ 41,340.00	183	\$ 75,013.40	\$ 409.91	54	183	\$ 75,013.40	\$ 409.91
LINDC	7	16	\$ 7,763.36	25	\$ 11,103.08	\$ 444.12	7	25	\$ 11,103.08	\$ 444.12
MACDC	8	21	\$ 9,054.32	23	\$ 15,275.84	\$ 664.17	8	23	\$ 15,275.84	\$ 664.17
MACSC	3	1	\$ 5,768.80	3	\$ 6,094.80	\$ 2,031.60	3	3	\$ 6,094.80	\$ 2,031.60
MADDC	1	0		3	\$ 850.72	\$ 283.57	1	3	\$ 850.72	\$ 283.57
MILDC	4	2	\$ 902.48	1	\$ 482.48	\$ 482.48	4	1	\$ 482.48	\$ 482.48
NEWDC	12	22	\$ 7,228.16	62	\$ 23,030.26	\$ 371.46	12	62	\$ 23,030.26	\$ 371.46
PORDC	75	99	\$ 58,723.01	180	\$ 88,118.36	\$ 489.55	75	180	\$ 88,118.36	\$ 489.55
PORSC	2	3	\$ 11,205.84	5	\$ 2,005.00	\$ 401.00	2	5	\$ 2,005.00	\$ 401.00
PREDC	11	29	\$ 18,280.80	75	\$ 39,321.53	\$ 524.29	11	75	\$ 39,321.53	\$ 524.29
RODC	19	33	\$ 20,342.02	42	\$ 18,948.24	\$ 451.15	19	42	\$ 18,948.24	\$ 451.15
ROCSC	1	2	\$ 4,878.00	5	\$ 5,300.94	\$ 1,060.19	1	5	\$ 5,300.94	\$ 1,060.19
RUMDC	11	5	\$ 1,464.00	25	\$ 11,428.20	\$ 457.13	11	25	\$ 11,428.20	\$ 457.13
SKODC	14	69	\$ 34,000.52	77	\$ 47,661.12	\$ 618.98	14	77	\$ 47,661.12	\$ 618.98
SKOSC	0	0		0			0	0		
SOUNC	5	7	\$ 4,651.14	13	\$ 7,141.14	\$ 549.32	5	13	\$ 7,141.14	\$ 549.32
SOUNC	4	7	\$ 9,250.17	16	\$ 12,432.64	\$ 777.04	4	16	\$ 12,432.64	\$ 777.04
SPRDC	41	46	\$ 23,229.04	134	\$ 78,526.62	\$ 586.02	41	134	\$ 78,526.62	\$ 586.02
Law Ct	13	13	\$ 28,516.95	26	\$ 51,558.22	\$ 1,983.01	13	26	\$ 51,558.22	\$ 1,983.01
YORCD	158	181	\$ 149,758.52	439	\$ 312,762.13	\$ 712.44	158	439	\$ 312,762.13	\$ 712.44
AROCD	113	126	\$ 74,856.71	184	\$ 108,702.04	\$ 590.77	113	184	\$ 108,702.04	\$ 590.77
ANDCD	131	117	\$ 67,998.65	233	\$ 119,761.80	\$ 514.00	131	233	\$ 119,761.80	\$ 514.00
KENCD	116	145	\$ 74,826.81	335	\$ 156,806.13	\$ 468.08	116	335	\$ 156,806.13	\$ 468.08
PENCD	180	211	\$ 119,361.42	473	\$ 224,858.07	\$ 475.39	180	473	\$ 224,858.07	\$ 475.39
SAGCD	26	19	\$ 10,313.82	63	\$ 33,641.78	\$ 534.00	26	63	\$ 33,641.78	\$ 534.00
WALCD	27	29	\$ 13,757.94	73	\$ 29,713.16	\$ 407.03	27	73	\$ 29,713.16	\$ 407.03
PISCD	20	22	\$ 4,245.76	43	\$ 7,665.76	\$ 178.27	20	43	\$ 7,665.76	\$ 178.27
HANCD	55	77	\$ 29,196.00	111	\$ 52,695.50	\$ 474.73	55	111	\$ 52,695.50	\$ 474.73
FRACD	51	44	\$ 28,106.01	87	\$ 50,172.37	\$ 576.69	51	87	\$ 50,172.37	\$ 576.69
WASCD	45	39	\$ 11,851.80	81	\$ 36,089.16	\$ 445.55	45	81	\$ 36,089.16	\$ 445.55
CUMCD	330	335	\$ 177,141.53	628	\$ 359,094.11	\$ 571.81	330	628	\$ 359,094.11	\$ 571.81
KNOCD	53	74	\$ 52,833.83	107	\$ 72,963.24	\$ 681.90	53	107	\$ 72,963.24	\$ 681.90
SOMCD	1	1	\$ 60.00	0			1	0		
OXFCD	75	72	\$ 30,235.59	133	\$ 52,064.00	\$ 391.46	75	133	\$ 52,064.00	\$ 391.46
LINCD	31	37	\$ 18,309.92	84	\$ 43,203.79	\$ 514.33	31	84	\$ 43,203.79	\$ 514.33
WATDC	19	40	\$ 26,952.10	97	\$ 45,148.72	\$ 465.45	19	97	\$ 45,148.72	\$ 465.45
WESDC	25	26	\$ 14,524.71	52	\$ 17,237.98	\$ 331.50	25	52	\$ 17,237.98	\$ 331.50
WISDC	5	5	\$ 4,966.76	23	\$ 17,694.85	\$ 769.34	5	23	\$ 17,694.85	\$ 769.34
WISSC	1	1	\$ 3,292.56	5	\$ 1,621.72	\$ 324.34	1	5	\$ 1,621.72	\$ 324.34
YORDC	7	10	\$ 5,840.31	30	\$ 15,524.31	\$ 517.48	7	30	\$ 15,524.31	\$ 517.48
<b>TOTAL</b>	<b>2,091</b>	<b>2,587</b>	<b>\$ 1,479,530.84</b>	<b>5,160</b>	<b>\$ 2,749,134.43</b>	<b>\$ 532.78</b>	<b>2,091</b>	<b>5,160</b>	<b>\$2,749,134.43</b>	<b>\$532.78</b>

# MAINE COMMISSION ON INDIGENT LEGAL SERVICES

## Number of Attorneys Rostered by Court

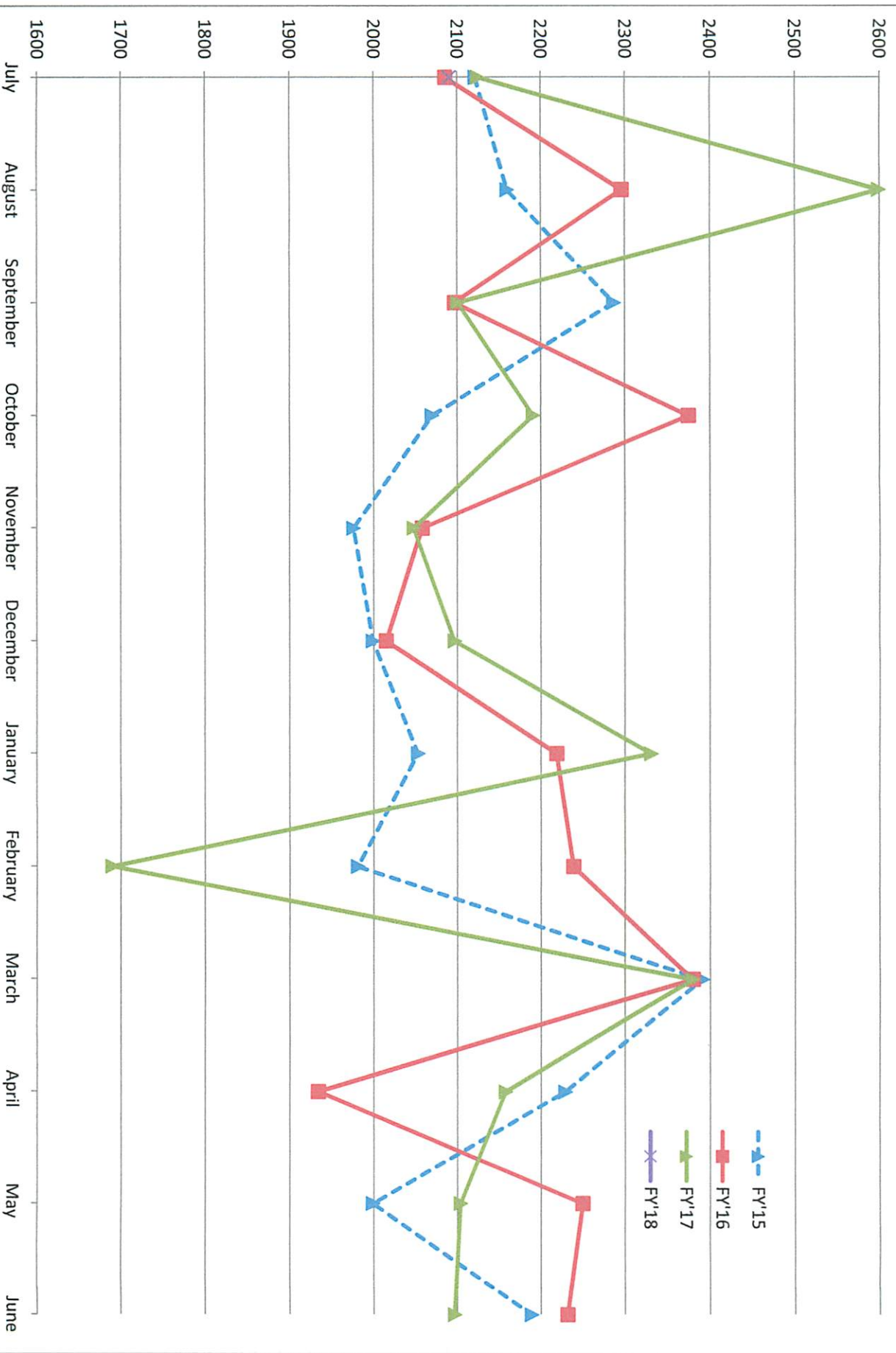
07/31/2017

Court	Rostered Attorneys
Augusta District Court	99
Bangor District Court	51
Belfast District Court	53
Biddeford District Court	135
Bridgton District Court	98
Calais District Court	12
Caribou District Court	18
Dover-Foxcroft District Court	25
Ellsworth District Court	43
Farmington District Court	30
Fort Kent District Court	10
Houlton District Court	14
Lewiston District Court	126
Lincoln District Court	27
Machias District Court	18
Madawaska District Court	11
Millinocket District Court	20
Newport District Court	36
Portland District Court	159
Presque Isle District Court	15
Rockland District Court	45
Rumford District Court	26
Skowhegan District Court	24

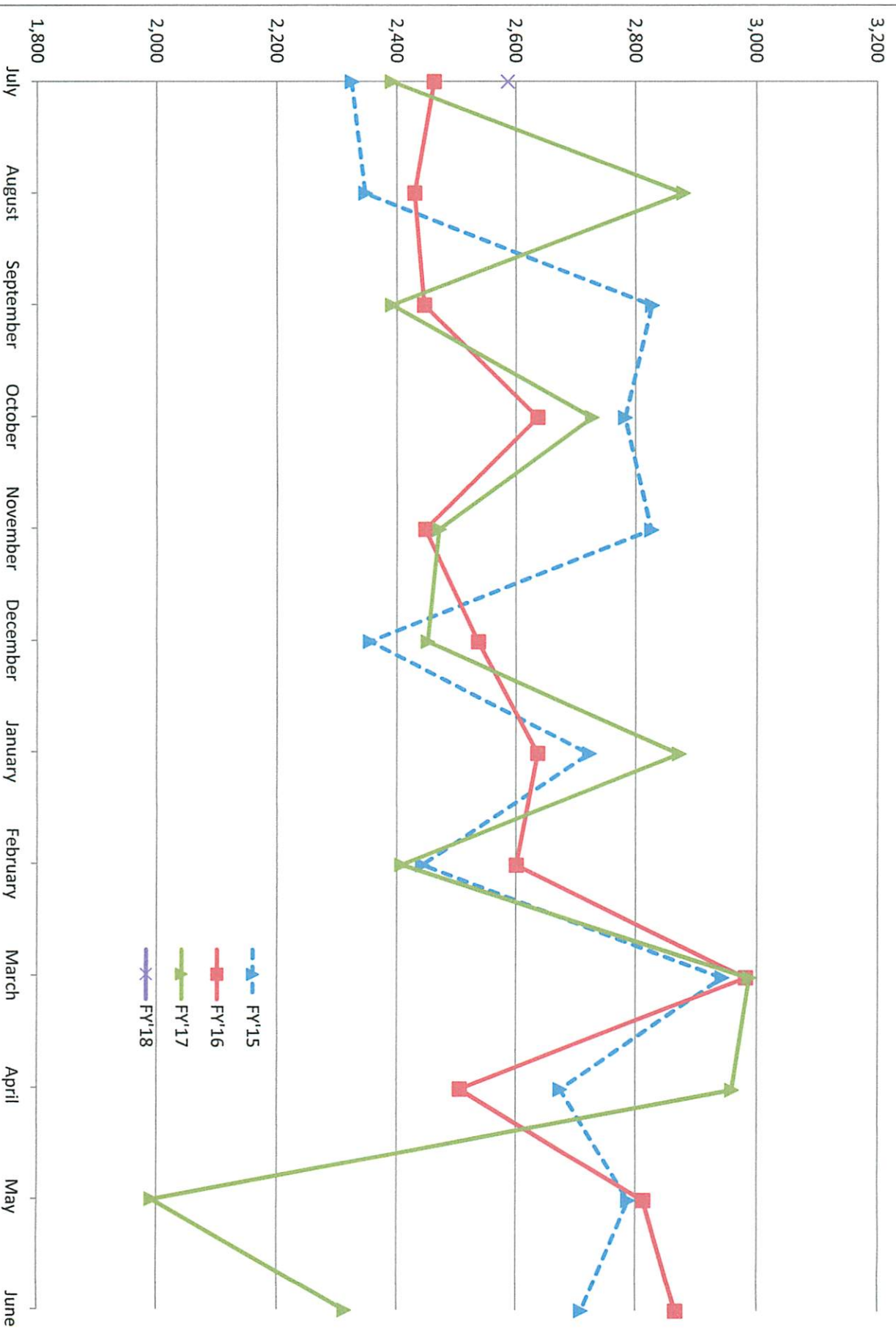
Court	Rostered Attorneys
South Paris District Court	57
Springvale District Court	122
Unified Criminal Docket Alfred	113
Unified Criminal Docket Aroostook	24
Unified Criminal Docket Auburn	101
Unified Criminal Docket Augusta	89
Unified Criminal Docket Bangor	54
Unified Criminal Docket Bath	92
Unified Criminal Docket Belfast	49
Unified Criminal Docket Dover Foxcroft	22
Unified Criminal Docket Ellsworth	42
Unified Criminal Docket Farmington	32
Unified Criminal Docket Machias	18
Unified Criminal Docket Portland	151
Unified Criminal Docket Rockland	38
Unified Criminal Docket Skowhegan	18
Unified Criminal docket Soperth Paris	93
Unified Criminal Docket Wiscasset	58
Waterville District Court	49
West Bath District Court	113
Wiscasset District Court	63
York District Court	107



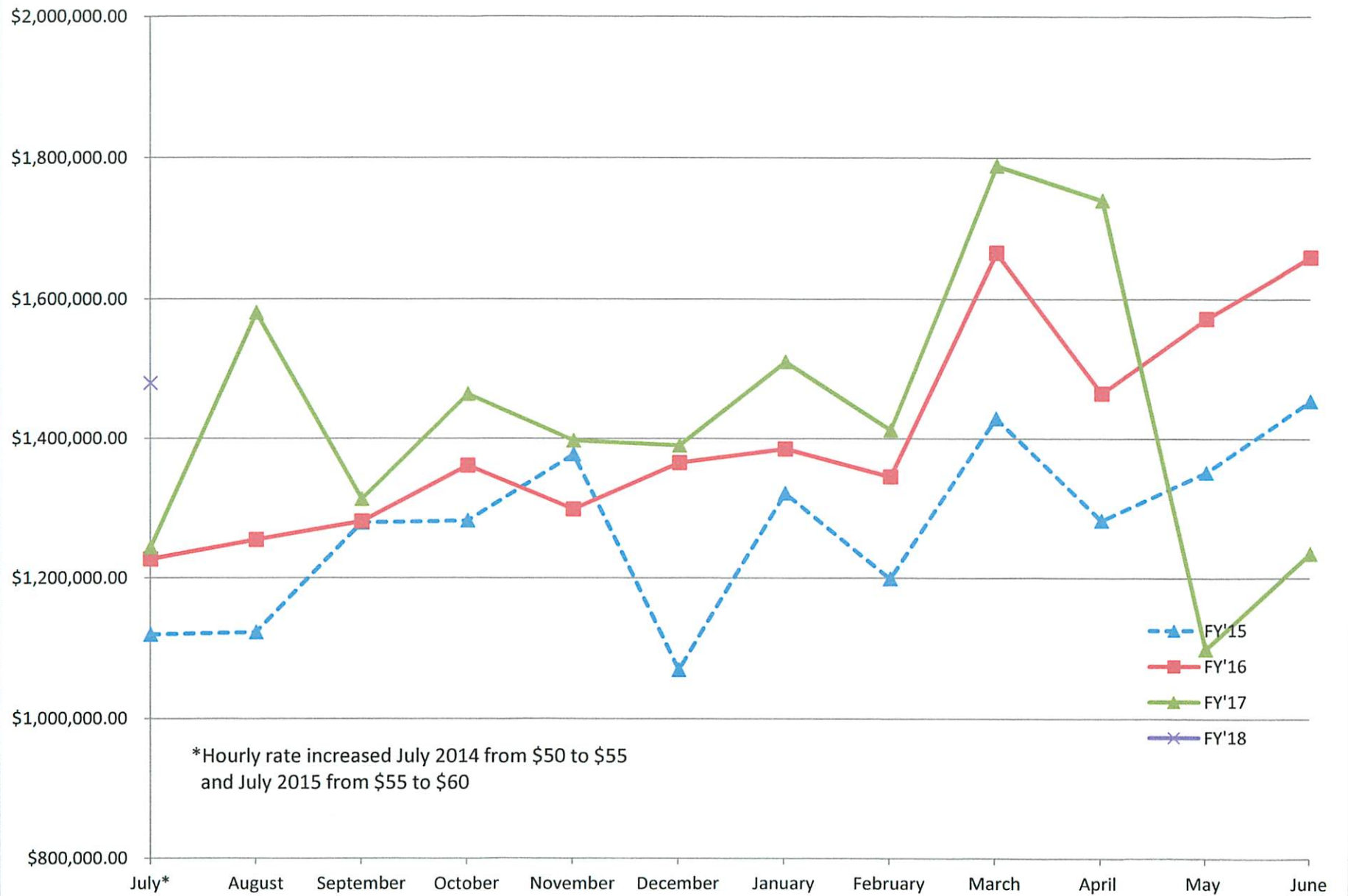
# NEW CASES



## Submitted Vouchers

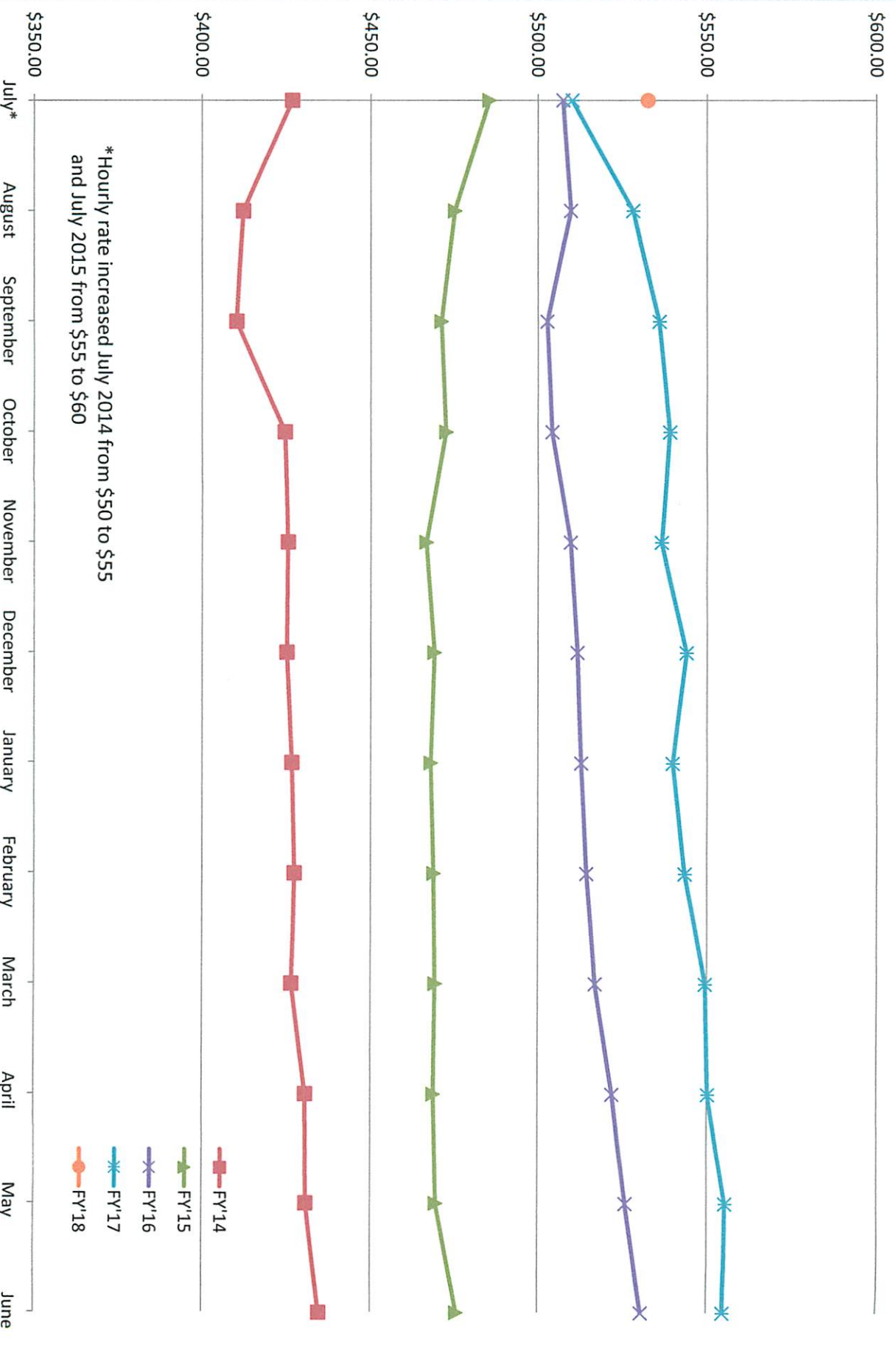


## Submitted Voucher Amount



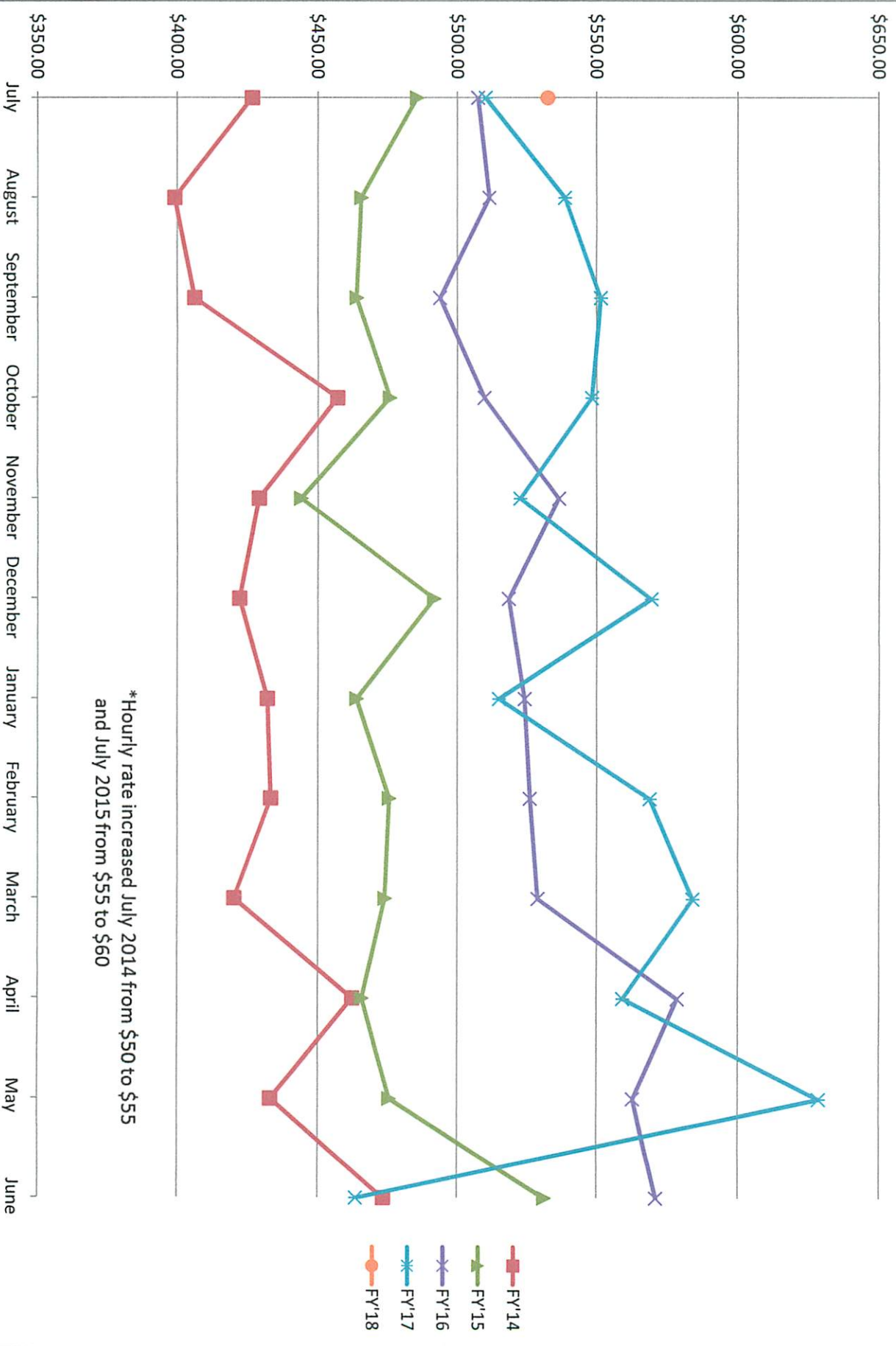


## Average Voucher Price Fiscal Year to Date



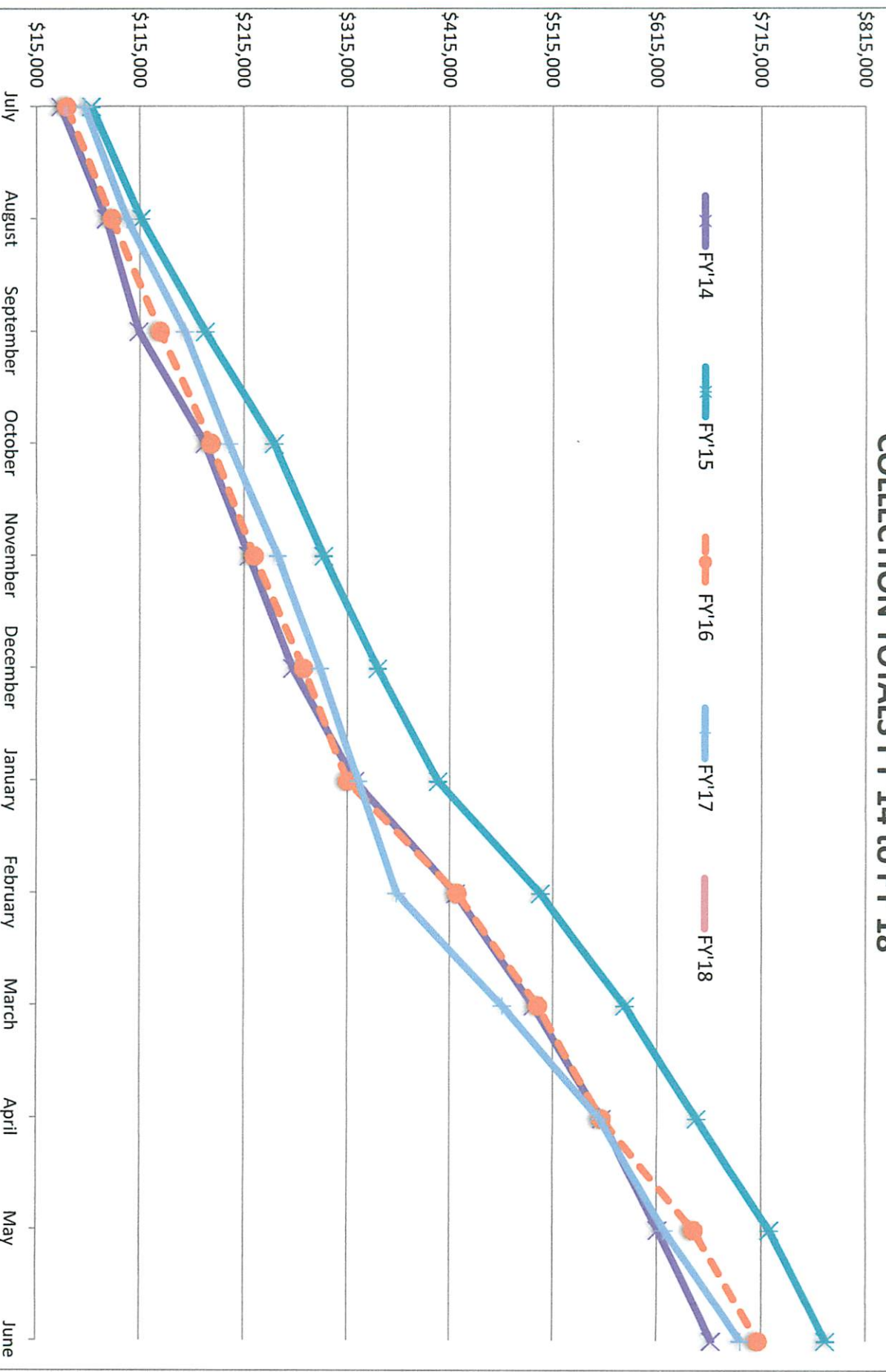
\*Hourly rate increased July 2014 from \$50 to \$55 and July 2015 from \$55 to \$60

# Monthly Price Per Voucher



\*Hourly rate increased July 2014 from \$50 to \$55 and July 2015 from \$55 to \$60

# COLLECTION TOTALS FY'14 to FY'18



**(4.)**

**Budget Update**

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**MAINE COMMISSION ON INDIGENT LEGAL SERVICES**

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**TO:** MCILS COMMISSIONERS  
**FROM:** JOHN D. PELLETIER, EXECUTIVE DIRECTOR  
**CC:** ELLIE MACIAG, DEPUTY EXECUTIVE DIRECTOR  
**SUBJECT:** BUDGET UPDATE  
**DATE:** August 2, 2017

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Attached are the portions of the biennial budget that relate to MCILS. They are somewhat confusing because the budget numbers appear in different places, and Part ZZZZZZ (the last part) alters some budget numbers that appear earlier. A summary follows.

For FY'18, our baseline All Other budget is \$18.3 million, equal to our All Other appropriation for FY'16. Funds for our staff positions are also included, as well as for our Other Special Revenue (OSR) account that covers training and counsel fee reimbursements. The All Other budget also includes \$2.8 million to cover costs pushed into FY'18 due to the FY'17 budget shortfall. For FY'19, our All Other budget is \$18.3 million and funds are also included for our staff positions. These funds, however, have been placed in an OSR account. According to staff of the Office of Program and Fiscal Review, these funds are available for MCILS to spend without further legislative action. The budget also includes changes to our statute and creates a working group to review Commission operations and report back to the Legislature before the next session.

The arrangement for FY'19 presents two problems. First, if these funds remain in an OSR account throughout FY'19, our baseline budget for the next budget cycle will be \$0.00. Second, when creating the OSR account for FY'19, the Legislature included funds for our All Other budget and for our staff positions. It appears, however, that they neglected to include an additional amount for our regular OSR account to cover training and counsel fee reimbursements. The Commission will have to determine how to address these issues with the Legislature.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$111,614	\$111,614
<b>GENERAL FUND TOTAL</b>	<b>\$111,614</b>	<b>\$111,614</b>

**Sec. A-42. Appropriations and allocations.** The following appropriations and allocations are made.

**INDIGENT LEGAL SERVICES, MAINE COMMISSION ON**

**Maine Commission on Indigent Legal Services Z112**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	11.500	11.500
Personal Services	\$806,606	\$832,565
All Other	\$15,567,725	\$15,567,725
<b>GENERAL FUND TOTAL</b>	<b>\$16,374,331</b>	<b>\$16,400,290</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$793,497	\$793,497
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$793,497</b>	<b>\$793,497</b>

**Maine Commission on Indigent Legal Services Z112**

Initiative: Provides funding for travel and per diem payments for the 5 members of the Maine Commission on Indigent Legal Services.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$3,300	\$3,300
All Other	\$5,000	\$5,000
<b>GENERAL FUND TOTAL</b>	<b>\$8,300</b>	<b>\$8,300</b>

**Maine Commission on Indigent Legal Services Z112**

Initiative: Reduces funds by eliminating one Executive Director of Maine Indigent Legal Services position, one Public Service Manager II position, one Accountant Technician position, one Office Associate I position and 9 Financial Screener positions and related All Other costs as of June 30, 2018 and transfers the General Fund portion to the Reserve for Indigent Legal Services program.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	0.000	(11.500)
Personal Services	\$0	(\$832,565)
All Other	\$0	(\$15,567,725)
GENERAL FUND TOTAL	<u>\$0</u>	<u>(\$16,400,290)</u>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	(\$793,497)
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>(\$793,497)</u>

#### **Maine Commission on Indigent Legal Services Z112**

Initiative: Provides one-time funds for indigent legal services costs incurred during fiscal year 2016-17.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$2,831,041	\$0
GENERAL FUND TOTAL	<u>\$2,831,041</u>	<u>\$0</u>

#### **MAINE COMMISSION ON INDIGENT LEGAL SERVICES Z112**

##### **PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	11.500	0.000
Personal Services	\$809,906	\$3,300
All Other	\$18,403,766	\$5,000
GENERAL FUND TOTAL	<u>\$19,213,672</u>	<u>\$8,300</u>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$793,497	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$793,497</u>	<u>\$0</u>

#### **Reserve for Indigent Legal Services N262**

Initiative: Allocates funds for indigent legal services. These funds may not be transferred without legislative approval.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Unallocated	\$0	\$16,400,290
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$16,400,290</b>

**RESERVE FOR INDIGENT LEGAL SERVICES N262**  
**PROGRAM SUMMARY**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Unallocated	\$0	\$16,400,290
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$16,400,290</b>

**INDIGENT LEGAL SERVICES, MAINE**  
**COMMISSION ON**  
**DEPARTMENT TOTALS**

	<b>2017-18</b>	<b>2018-19</b>
<b>GENERAL FUND</b>	<b>\$19,213,672</b>	<b>\$8,300</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$793,497</b>	<b>\$16,400,290</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$20,007,169</b>	<b>\$16,408,590</b>

**Sec. A-43. Appropriations and allocations.** The following appropriations and allocations are made.

**INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF**

**Administrative Services - Inland Fisheries and Wildlife 0530**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$294,567	\$303,470
All Other	\$805,822	\$805,822
<b>GENERAL FUND TOTAL</b>	<b>\$1,100,389</b>	<b>\$1,109,292</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$11,659	\$11,659
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$11,659</b>	<b>\$11,659</b>



## PART UUUU

**Sec. UUUU-1. 4 MRSA §1804, sub-§2, ¶A**, as enacted by PL 2009, c. 419, §2, is amended to read:

A. Standards governing eligibility for indigent legal services. The eligibility standards must take into account the possibility of a defendant's or civil party's ability to make periodic installment payments toward counsel fees;

**Sec. UUUU-2. 4 MRSA §1804, sub-§2, ¶D**, as enacted by PL 2009, c. 419, §2, is amended to read:

D. Standards for the evaluation of assigned counsel and contract counsel. The commission shall review the standards developed pursuant to this paragraph every 5 years or upon the earlier recommendation of the executive director;

**Sec. UUUU-3. 4 MRSA §1804, sub-§3, ¶B**, as enacted by PL 2009, c. 419, §2, is amended to read:

B. Develop and maintain an assigned counsel voucher review and payment authorization system that includes disposition information;

**Sec. UUUU-4. 4 MRSA §1804, sub-§3, ¶H**, as enacted by PL 2009, c. 419, §2, is amended to read:

H. Submit By January 15th of each year, submit to the Legislature, the Chief Justice of the Supreme Judicial Court and the Governor an annual report on the operation, needs and costs of the indigent legal services systems; The report must include:

(1) An evaluation of: contracts; services provided by contract counsel and assigned counsel; any contracted professional services; and cost containment measures; and

(2) An explanation of the relevant law changes to the indigent legal services covered by the commission and the effect of the changes on the quality of representation and costs.

The joint standing committee of the Legislature having jurisdiction over judiciary matters may report out legislation on matters related to the report;

**Sec. UUUU-5. 4 MRSA §1804, sub-§3, ¶J**, as amended by PL 2013, c. 159, §12, is further amended to read:

J. Develop an administrative review and appeal process for attorneys who are aggrieved by a decision of the executive director, or the executive director's designee, determining:

(1) Whether an attorney meets the minimum eligibility requirements to receive assignments or to receive assignments in specialized case types pursuant to any commission rule setting forth eligibility requirements;

(2) Whether an attorney previously found eligible is no longer eligible to receive assignments or to receive assignments in specialized case types pursuant to any commission rule setting forth eligibility requirements; and

(3) Whether to grant or withhold a waiver of the eligibility requirements set forth in any commission rule.

All decisions of the commission, including decisions on appeals under subparagraphs (1), (2) and (3), constitute final agency action. All decisions of the executive director, or the executive director's designee, other than decisions appealable under subparagraphs (1), (2) and (3), constitute final agency action; ~~and~~

**Sec. UUUU-6. 4 MRSA §1804, sub-§3, ¶K,** as enacted by PL 2013, c. 159, §13, is amended to read:

K. Pay appellate counsel;

**Sec. UUUU-7. 4 MRSA §1804, sub-§3, ¶¶L and M** are enacted to read:

L. Establish processes and procedures to acquire investigative and expert services that may be necessary for a case, including contracting for such services; and

M. Establish procedures for handling complaints about the performance of counsel providing indigent legal services.

**Sec. UUUU-8. 4 MRSA §1805, sub-§6,** as enacted by PL 2009, c. 419, §2, is amended to read:

**6. Personnel.** Subject to policies and procedures established by the commission, hire or contract professional, technical and support personnel, including attorneys, considered reasonably necessary for the efficient delivery of indigent legal services;

**Sec. UUUU-9. 4 MRSA §1805, sub-§7, ¶A-1** is enacted to read:

A-1. A monthly report on the amount of revenue collected from counsel fee collections, including counsel expenses recouped each month and for the year to date;

**Sec. UUUU-10. 4 MRSA §1805, sub-§7, ¶B,** as enacted by PL 2009, c. 419, §2, is amended to read:

B. An annual report containing pertinent data on the operation, needs and costs of the indigent legal services system; ~~and~~

**Sec. UUUU-11. 4 MRSA §1805, sub-§7, ¶B-1** is enacted to read:

B-1. A monthly report on the number of cases opened, the number of vouchers submitted, the amount of vouchers paid, the amount of payments to contract counsel, the number of requests for professional services, the amount of payments for professional services and information on any complaints made against assigned or contract counsel;

**Sec. UUUU-12. 4 MRSA §1805, sub-§10,** as enacted by PL 2009, c. 419, §2, is amended to read:

**10. Other funds.** Apply for and accept on behalf of the commission funds that may become available from any source, including government, nonprofit or private grants, gifts or bequests. These non-General Fund funds do not lapse at the end of the fiscal year but must be carried forward to be used for the purpose originally intended;

**Sec. UUUU-13. 4 MRSA §1805, sub-§10-A** is enacted to read:

**10-A. Reimbursement of expenses.** Administer and improve reimbursement of expenses incurred by assigned counsel and contract counsel as described in section 1805-A;

**Sec. UUUU-14. 4 MRSA §1805-A** is enacted to read:

**§1805-A. Indigency determinations; redeterminations; verifications; collections**

**1. Duties.** The executive director shall administer and improve reimbursement of expenses incurred by assigned counsel and contract counsel by:

A. Establishing procedures to ensure that the eligibility of defendants and civil parties is verified and reviewed randomly and when circumstances have changed, information has changed, additional information is provided or as otherwise needed;

B. Petitioning the court to reassess the indigency of a defendant or civil party if the executive director determines that indigency should be reassessed;

C. Providing to the commission recommendations to improve reimbursement of expenses;

D. Requiring that the amount of time spent on each case by assigned counsel or contract counsel is recorded separately for each case; and

E. Receiving from the courts collections for the costs of representation from defendants or civil parties who are found to be partially indigent or who have otherwise been determined to be able to reimburse the commission for expenses incurred by assigned counsel or contract counsel.

**2. Determination of defendant's or civil party's eligibility.** The executive director shall provide the court having jurisdiction over a proceeding information used to determine indigency for guidance to the court in determining a defendant's or civil party's financial ability to obtain private counsel.

**3. Partial indigency and reimbursement.** This subsection applies to partial indigency and reimbursement of expenses incurred by assigned counsel or contract counsel.

A. If the court determines that a defendant or civil party is unable to pay to obtain private counsel but is able to contribute to payment of assigned counsel or contract counsel, the court shall order the defendant or civil party to make installment payments up to the full cost of representation or to pay a fixed contribution. The court shall remit payments received to the commission.

B. A defendant or civil party may not be required to pay for legal services in an amount greater than the expenses actually incurred.

C. Upon petition of a defendant or civil party who is incarcerated, the court may suspend an order for reimbursement issued pursuant to this subsection until the time of the defendant's or civil party's release.

D. The executive director may enter into contracts to secure the reimbursement of fees and expenses paid by the commission as provided for in this section.

**Sec. UUUU-15. 15 MRSA §1074, sub-§3**, as amended by PL 2003, c. 87, §1, is further amended to read:

**3. Setoff of defendant's property.** When a defendant has deposited cash or other property owned by the defendant as bail or has offered real estate owned by the defendant and subject to a bail lien as bail and the cash, other property or real estate has not been forfeited, the court, before ordering the cash or other property returned to the defendant or discharging the real estate bail lien, shall determine whether the cash, other property or real estate or any portion of the cash, other property or real estate is subject to setoff as authorized by this section. The court may order all or a portion of the bail owned by a defendant that has not been forfeited to be first paid and applied to one or more of the following:

A. Any fine, forfeiture, penalty or fee imposed upon a defendant as part of the sentence for conviction of any offense arising out of the criminal proceeding for which the bail has been posted and the sentence for conviction of any offense in an unrelated civil or criminal proceeding;

B. Any amount of restitution the defendant has been ordered to pay as part of the sentence imposed in the proceeding for which bail has been posted and in any unrelated proceeding;

C. Any amount of attorney's fees or other expense authorized by the court at the request of the defendant or attorney and actually paid by the State on behalf of the defendant on the ground that the defendant has been found to be indigent in the proceeding for which bail has been posted and in any unrelated proceeding; and

D. Any surcharge imposed by Title 4, section 1057.

The court shall apply any bail collected pursuant to this subsection first to restitution then to attorney's fees and then to fines and surcharges.

**Sec. UUUU-16. 36 MRSA §191, sub-§2, ¶DDD** is enacted to read:

DDD. The disclosure by employees of the bureau to an authorized representative of the Maine Commission on Indigent Legal Services for determining the eligibility for indigent legal services and the ability to reimburse expenses incurred for assigned counsel and contract counsel under Title 4, chapter 37.

**Sec. UUUU-17. Working group established.** Notwithstanding Joint Rule 353, the Working Group to Improve the Provision of Indigent Legal Services, referred to in this section as "the working group," is established.

**1. Membership.** The working group consists of 11 members appointed as follows:

A. Two members of the Senate appointed by the President of the Senate, including members from each of the 2 parties holding the largest number of seats in the Legislature;

B. Two members of the House of Representatives appointed by the Speaker of the House, including members from each of the 2 parties holding the largest number of seats in the Legislature;

C. Two members appointed by Chief Justice of the Supreme Judicial Court, at least one of whom is on a court-appointed attorney roster administered by the Maine Commission on Indigent Legal Services;

D. The Attorney General or the Attorney General's designee;

E. The Commissioner of Administrative and Financial Services or the commissioner's designee;

F. The Director of the Governor's Office of Policy and Management or the director's designee;

G. The President of the Maine Prosecutors Association or the president's designee; and

H. The Chair of the Maine Commission on Indigent Legal Services or the chair's designee.

**2. Chairs.** The first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the working group.

**3. Appointments; convening.** All appointments must be made no later than 30 days following the effective date of this section. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. When the appointment of all members has been completed, the chairs shall call and convene the first meeting of the working group. If 30 days or more after the effective date of this section a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the working group to meet and conduct its business.

**4. Duties.** The working group shall develop recommendations to improve the delivery of indigent legal services to those eligible to receive such services in the State. The recommendations must focus on ensuring adequate representation, increasing the efficiency in delivering legal services, verifying eligibility throughout representation and reducing costs while still fully honoring the constitutional and statutory obligations to provide representation. Notwithstanding any other provision of law, the working group may access data maintained by the Maine Commission on Indigent Legal Services and shall maintain the confidentiality of any confidential information provided to the working group. The working group may invite the participation and input of additional interested parties and request information as necessary to carry out its duties.

**5. Staff assistance.** The Legislative Council shall provide necessary staffing services to the working group.

**6. Report.** No later than December 6, 2017, the working group shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the 2nd Regular Session of the 128th Legislature. The Joint Standing Committee on Judiciary may report out to the Second Regular Session of the 128th Legislature legislation to implement recommendations on matters related to the report.

**Sec. UUUU-18. Transfer from General Fund; indigent legal services.** On or immediately after July 1, 2018, the State Controller shall transfer \$19,205,270 from the unappropriated surplus of the General Fund to the Maine Commission on Indigent Legal Services, Reserve for Indigent Legal Services program, Other Special Revenue Funds. Funds transferred pursuant to this section may not be transferred out of the Reserve for Indigent Legal Services program without legislative approval.

## **PART VVVV**

**Sec. VVVV-1. 12 MRSA §10202, sub-§9,** as amended by PL 2015, c. 267, Pt. NNN, §1, is further amended to read:

**9. Fiscal Stability Program.** The Fiscal Stability Program is established to ensure that the general public and hunters and anglers share the cost of the fish and wildlife conservation programs of the department. To achieve this goal, beginning with the ~~2018-2019~~ 2020-2021 biennial budget and for each biennial budget thereafter, the biennial budget submitted by the executive branch must include an additional General Fund appropriation of 18% in excess of the department's requested biennial budget.

## **PART WWWW**

**Sec. WWWW-1. Transfer of funds; Department of Inland Fisheries and Wildlife carrying account.** On or before August 1, 2017, the State Controller shall transfer \$39,000 from the Inland Fisheries and Wildlife Carrying Balances - General Fund account to the Enforcement Operations - Inland Fisheries and Wildlife program, General Fund account for the purchase of one replacement aircraft engine. On or before August 1, 2018, the State Controller shall transfer \$43,000 from the Inland Fisheries and Wildlife Carrying Balances - General Fund account to the Enforcement Operations - Inland Fisheries and Wildlife program, General Fund account for the purchase of one replacement aircraft engine.

## **PART XXXX**

**Sec. XXXX-1. 4 MRSA §6-B,** as amended by PL 2003, c. 290, §1, is further amended to read:

### **§6-B. Per diem compensation for Active Retired Justices of the Supreme Judicial Court**

Any Active Retired Justice of the Supreme Judicial Court, who performs judicial service at the direction and assignment of the Chief Justice of the Supreme Judicial Court, must be compensated for those services at the rate of ~~\$300~~ \$350 per day or ~~\$175~~ \$200 per 1/2 day, ~~provided that the total per diem compensation and retirement pension received~~

**Housing Authority - State 0442**

Initiative: Deallocates funds to partially offset allocations contained in Part A of this Act that provide funds to meet unique housing needs in the areas of homelessness, first-time home buyers, rental unit production for people with special needs and low income and repairs to substandard homes.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$2,500,000)	(\$2,500,000)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$2,500,000)</b>	<b>(\$2,500,000)</b>

**Sec. ZZZZZZ-11. Appropriations and allocations.** The following appropriations and allocations are made.

**INDIGENT LEGAL SERVICES, MAINE COMMISSION ON****Maine Commission on Indigent Legal Services Z112**

Initiative: Provides additional funding for indigent legal services.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$2,822,639	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$2,822,639</b>	<b>\$0</b>

**Maine Commission on Indigent Legal Services Z112**

Initiative: Deappropriates funds provided in Part A of this Act that funded travel and per diem payments for the 5 members of the Maine Commission on Indigent Legal Services.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$0	(\$3,300)
All Other	\$0	(\$5,000)
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>(\$8,300)</b>

**Reserve for Indigent Legal Services N262**

Initiative: Allocates additional funds for indigent legal services.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	\$2,804,980
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$2,804,980</b>

**Reserve for Indigent Legal Services N262**

Initiative: Allocates funds for indigent legal services, including funds for the continuation of one Executive Director of Maine Indigent Legal Services position, one Public Service Manager II position, one Accountant Technician position, one Office Associate I position and 9 Financial Screener positions .

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	0.000	11.500
Personal Services	\$0	\$832,565
All Other	\$0	\$15,567,725
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$16,400,290</b>

**Reserve for Indigent Legal Services N262**

Initiative: Deallocates funds to offset an allocation contained in Part A of this Act related to indigent legal services.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Unallocated	\$0	(\$16,400,290)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>(\$16,400,290)</b>

**INDIGENT LEGAL SERVICES, MAINE  
COMMISSION ON  
DEPARTMENT TOTALS**

	<b>2017-18</b>	<b>2018-19</b>
GENERAL FUND	\$2,822,639	(\$8,300)
OTHER SPECIAL REVENUE FUNDS	\$0	\$2,804,980
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$2,822,639</b>	<b>\$2,796,680</b>

**Sec. ZZZZZZ-12. Appropriations and allocations.** The following appropriations and allocations are made.

**LABOR, DEPARTMENT OF****Employment Services Activity 0852**

Initiative: Allocates funds to offset deallocations contained in Part A of this Act that eliminate 5 CareerCenter Consultant positions and one part-time CareerCenter Consultant position.



**(5.)**

**Action Items**

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**MAINE COMMISSION ON INDIGENT LEGAL SERVICES**

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**TO:** MCILS COMMISSIONERS  
**FROM:** JOHN D. PELLETIER, EXECUTIVE DIRECTOR  
**CC:** ELLIE MACIAG, DEPUTY EXECUTIVE DIRECTOR  
**SUBJECT:** ACTION ITEMS DISCUSSION  
**DATE:** August 2, 2017

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Attached is a list of potential MCILS action items, most of which the Commission has discussed at some point over the past months and years. At the last meeting, the staff was asked to prepare this list so that the Commission can prioritize the list and then plan on detailed discussion of particular items as agenda items for future meetings. The hope is that by focusing narrowly on one to two items, the Commission can move to closure on policy and implementation.

Please review the list and come prepared to add other items to the list if needed. Then, my understanding is that the Commission will prioritize the list and determine what item(s) will be placed on the agenda for detailed discussion at the next meeting.

## POTENTIAL ACTION ITEMS

Geographic limitations on rosters. Travel and mileage policy for courts with plenty of lawyers.

Cap enforcement, e.g., require pre-approval.

Resource Counsel system.

System to facilitate filing of complaints by clients.

Evaluation surveys.

Items requiring court cooperation:

- New form for application for counsel and new procedure for collection hearings.

- Reimbursement of counsel fees when client with assigned counsel retains counsel.

- Early interface with new court case management system

- Block case assignments

Less formal briefs (avoid printing costs) in the Law Court.

Refusing to pay for discovery.

Billing practices that inflate average cost per voucher.

How to address vouchers submitted beyond the deadline.

Closing rosters to new lawyers in areas flush with lawyers.

Identifying locales similar to Somerset that could benefit from a contract.