

**MCILS**

**December 11, 2018  
Commissioner's Meeting  
Packet**

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**MAINE COMMISSION ON INDIGENT LEGAL SERVICES**

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**DECEMBER 11, 2018**

**COMMISSION MEETING**

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

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- 1) Approval of November 13, 2018, Commission Meeting Minutes
- 2) Operations Reports
- 3) Fee Schedule Rule Discussion
- 4) Sixth Amendment Center Study
- 5) Franklin County Proposal
- 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.)**

**November 13, 2018  
Commission Meeting  
Minutes**

**Maine Commission on Indigent Legal Services – Commissioners Meeting  
November 13, 2018**

**Minutes**

**Commissioners Present:** Steven Carey, Carlann Welch

**MCILS Staff Present:** Ellie Maciag, John Pelletier

<b>Agenda Item</b>	<b>Discussion</b>	<b>Outcome/Action Item/Responsible Party</b>
Approval of the October 16, 2018 Commission Meeting Minutes	No discussion of meeting minutes.	Chair Carey moved for approval, Commissioner Welch seconded. All voted in favor. Approved.
Operations Reports Review	<u>October 2018 Operations Report:</u> 2,447 new cases were opened in the DefenderData system in October. This was a 277 case increase over September. The number of submitted vouchers in October was 2,907, an increase of 269 vouchers over September, totaling \$1,483,077, an increase of \$13,000 over September. The average price per voucher was \$521.39, down \$35.85 per voucher from September. Appeal and Post-Conviction Review cases had the highest average vouchers. There were 9 vouchers exceeding \$5,000 paid in October. 146 authorizations to expend funds were issued in October, and we paid \$81,538 for experts and investigators, etc. The monthly transfer from the Judicial Branch for counsel fees for October, which reflects September's collections, totaled \$82,863, down approximately \$4,000 from September. Three attorney complaints were received in October.	
Fee Schedule Rule Discussion	The Commissioners continued their discussion of the fee schedule for appeals, post-conviction review, and child protection cases. After a brief discussion about the appeal data and the effect of murder cases on the overall totals, the Commissioners determined that a \$3,000 cap was reasonable. Conversely, it was determined that the murder case totals had a considerable effect on the overall totals for post-conviction review cases. Commissioners deferred action	

Agenda Item	Discussion	Outcome/Action Item/Responsible Party
	<p>on reassessing the PCR fee cap and requested staff gather data for murder PCR cases for discussion at the next meeting. Commissioner Carey suggested the following fee caps for child protective cases: \$1,200 for child protection petition stage; \$1,000 for the review stage; and \$1,400 for the termination of parental rights stage. Commissioner Welch agreed. Director Pelletier noted that these revised amounts would bring the cap more in line with current voucher totals. Director Pelletier also suggested the term “presumptive maximum” as a replacement for the current rule’s “maximum fee” language. Chair Carey suggested the Commission revisit the idea of an appellate contract and requested staff provide a summary of the proposals from the last appellate contract RFP. Chair Carey indicated that any decision on a contract would be deferred until the Sixth Amendment Center issues its report. Commissioner Welch suggested staff consider adding a resource counsel for appeals.</p>	
Sixth Amendment Center Study	<p>Director Pelletier gave a brief update on the Sixth Amendment Center study. He noted that the Commission received several data requests during October.</p>	
Budget Update	<p>Director Pelletier gave an update on the FY’20-FY’21 budget request as well as the status of the current fiscal year budget. For the upcoming biennium, the Commission will seek flat funding and seek an increase in allotment for Revenue to account for the increased collection amounts. For the FY’19 budget, he noted that the Commission fell behind budget projections by \$236, 151 in the first quarter, but that enough revenue remains available from unspent collections from last fiscal year to cover the shortfall.</p>	
Franklin County Proposal	<p>Director Pelletier relayed that he received a proposal from a group of attorneys interested in providing services in adult criminal and juvenile cases in Franklin County under a contract. He informed the group of the required formal bidding process for state contracts and requested a narrative to present to the Commissioners. Commissioner Welch requested staff provide current Franklin County case and voucher amounts for the next meeting.</p>	

Agenda Item	Discussion	Outcome/Action Item/Responsible Party
Public Comment	<p><u>Tina Nadeau, Esq.</u>: Attorney Nadeau suggested that the Commission and the Maine Association of Criminal Defense Attorneys work more collaboratively on attorney trainings on subject areas where there is a lack of training opportunities. She suggested the Commission consider an ongoing CLE requirement for specialized panels. She pointed out that out-of-pocket expenses for appeals are substantial, sometimes in the \$400 to \$500 range. She cautioned the Commission on pursuing a flat fee contract for Franklin County. She urged the Commission to adopt fee amounts for juvenile cases that mirror fee amounts for adult cases. She thought that appellate resource counsel was a great idea. Finally, she urged the Commission to seek to raise the hourly rate for attorneys during the next legislative session.</p>	
Executive Session	<p>The Commissioners entered into executive session to discuss investigation of attorney billing and a personnel issue. Upon emerging from executive session, the Commissioners stated that no votes were taken.</p>	<p>Chair Carey made a motion to move into executive session for purposes of discussing investigation of attorney billing and a personnel issue. Commissioner Welch seconded. All approved.</p>
Adjournment of meeting	<p>The Commission voted to adjourn with the next meeting to be on December 11, 2018 at 9:30 a.m.</p>	<p>Chair Carey moved to adjourn. Commissioner Welch seconded. All present in favor.</p>

**(2.)**

## **Operations Reports**

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## MAINE COMMISSION ON INDIGENT LEGAL SERVICES

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**TO:** MCILS COMMISSIONERS  
**FROM:** JOHN D. PELLETIER, EXECUTIVE DIRECTOR  
**SUBJECT:** NOVEMBER 2018 OPERATIONS REPORTS  
**DATE:** DECEMBER 4, 2018

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Attached you will find the November, 2018, Operations Reports for your review and our discussion at the Commission meeting on December 11, 2018. A summary of the operations reports follows:

- 2,046 new cases were opened in the DefenderData system in November. This was a 401 case decrease from October.
- The number of vouchers submitted electronically in November was 2,482, a decrease of 425 vouchers from October, totaling \$1,406,374.48, a decrease of \$77,000 from October. In November, we paid 1,902 electronic vouchers totaling \$1,034,295.35, representing a decrease of 1,253 vouchers and \$611,000 compared to October.
- There were no paper vouchers submitted and paid in November.
- The average price per voucher in November was \$543.79, up \$11.40 per voucher from October.
- Appeal and Post-Conviction Review cases had the highest average vouchers in November. There were 10 vouchers exceeding \$5,000 paid in November. See attached addendum for details.
- The contract amount paid for representation in Somerset County in November was \$22,687.50.
- In November, we issued 124 authorizations to expend funds: 78 for private investigators, 32 for experts, and 14 for miscellaneous services such as interpreters and transcriptionists. In November, we paid \$79,769.16 for experts and investigators, etc. In November, two requests for funds were reduced or modified. See attached addendum for details.
- In November, we received five complaints about four attorneys. All but one involved complaints by clients about lack of contact and general inactivity on their cases. The remaining complaint was submitted by the Superintendent of a psychiatric hospital about an attorney who routinely handles mental health cases. This complaint centered around the attorney's behavior with patients and staff and the attorney's apparent lack of respect for personal boundaries and hospital safety policies. Staff expects to notify each attorney about the complaint soon and seek a



response from each. Responses and any staff action will be included in next month's operations report.

In our All Other Account, the total expenses for the month of November were \$1,150,745.03. Of that amount, approximately \$14,000 was devoted to the Commission's operating expenses.

In the Personal Services Account, we had \$55,548.91 in expenses for the month of November.

In the Revenue Account, the transfer for November, reflecting October's collections, totaled \$116,115.85, an increase of approximately \$34,000 from the previous month.

With respect to training revenue and expenses, formerly reflected in our conference account report, those are now also accounted for in our single special revenue account. However, they are itemized in a box on the all other report so you can see the monthly transactions. During November, we paid expenses related to video replays of a day-long Juvenile training, as well as our November minimum standards training, and collected registration fees for the minimum standards training.

VOUCHERS EXCEEDING \$5,000 PAID NOVEMBER 2018

	Voucher Total	Case total
Voucher in a Manslaughter/Burglary case. The case lasted 3 ½ years, and the State filed three indictments with changing charges/theories. This caused the defense to alter the direction of their preparation more than once. The case was expert intensive and fully prepared for trial. Client pleaded guilty at jury selection. Co-counsel from the same firm.	\$23,057	\$23,057
Voucher in an Aggravated Attempted Murder case involving an exchange of gunfire with law enforcement. The defendant was found not guilty after an 8 day trial. This case was also expert intensive. Co-counsel from a different firm has yet to submit a voucher.	\$20,456	\$20,456
Voucher after the third trial in an Unlawful Sexual Contact case. Defendant found guilty after a three-day trial. Sentencing remains pending. A conviction after the first trial was vacated on appeal and the second trial ended with a hung jury. Case began in 2012.	\$10,782	\$29,648 (\$10,524 paid after the second trial, \$8,342 paid after the first trial)
Voucher in an Attempted Murder case. Case involved evaluation of significant mental health issues, resulting in a plea to a reduced charge and time served sentence.	\$8,209	\$8,209
Voucher in a Robbery case arising from a home invasion. Extensive discovery and trial preparation. The defendant pleaded guilty on the third day of trial.	\$8,050	\$8,050
Voucher in an appeal from an Aggravated Assault conviction. After the brief was filed, the court ordered additional briefs based on a letter written by the defendant. Case involved research and briefing on issues of racial bias in the conduct of the trial and jury selection.	\$7,488	\$7,488
Voucher after a two-day trial in a domestic violence case. Defendant found guilty. Substantial preparation required for both trial and sentencing.	\$5,986	\$5,986
Voucher on a post-conviction review of a Gross Sexual Assault conviction. The original trial lasted three days, and trial counsel's file filled several boxes. Also, trial counsel passed away during the litigation, necessitating the preparation of affidavits to complete the record. Decision pending.	\$5,206	\$5,206
Voucher in an Eluding an Officer case. Defendant was 20 years old and had no prior convictions. State insisted on a felony conviction. Counsel obtained a sound expert who performed testing on the motor-bike driven by the defendant. Expert report caused State to relent and take a plea to Failure to Stop on the eve of trial.	\$5,032	\$5,032

### FUNDS REQUESTS DENIED/MODIFIED NOVEMBER 2018

- Two requests for funds were modified to authorize a reduced amount, one based on the circumstances of the case and one because the attorney, on instructions from staff, convinced the proposed expert to charge a lower hourly rate.

**MAINE COMMISSION ON INDIGENT LEGAL SERVICES**

**Activity Report by Case Type**

11/30/2018

DefenderData Case Type	Nov-18						Fiscal Year 2019			
	New Cases	Vouchers Submitted	Submitted Amount	Vouchers Paid	Approved Amount	Average Amount	Cases Opened	Vouchers Paid	Amount Paid	Average Amount
Appeal	11	16	\$ 22,110.69	13	\$ 19,555.97	\$ 1,504.31	57	88	\$ 136,589.96	\$ 1,552.16
Child Protection Petition	152	418	\$ 262,960.36	304	\$ 183,693.88	\$ 604.26	1,127	1,866	\$ 1,134,487.16	\$ 607.98
Drug Court	0	4	\$ 3,270.00	3	\$ 2,982.00	\$ 994.00	1	25	\$ 25,056.00	\$ 1,002.24
Emancipation	13	14	\$ 4,975.56	7	\$ 1,613.10	\$ 230.44	45	29	\$ 7,413.85	\$ 255.65
Felony	489	522	\$ 515,357.63	408	\$ 366,127.07	\$ 897.37	2,635	2,536	\$ 2,131,320.95	\$ 840.43
Involuntary Civil Commitment	61	62	\$ 14,616.86	80	\$ 17,159.72	\$ 214.50	441	426	\$ 93,348.37	\$ 219.13
Juvenile	58	71	\$ 32,534.42	60	\$ 29,287.20	\$ 488.12	332	350	\$ 166,686.86	\$ 476.25
Lawyer of the Day - Custody	188	201	\$ 47,887.12	154	\$ 37,921.48	\$ 246.24	1,141	1,012	\$ 249,229.19	\$ 246.27
Lawyer of the Day - Juvenile	39	28	\$ 5,036.68	25	\$ 4,629.92	\$ 185.20	185	160	\$ 32,070.08	\$ 200.44
Lawyer of the Day - Walk-in	115	97	\$ 23,551.52	79	\$ 18,821.72	\$ 238.25	613	504	\$ 120,458.52	\$ 239.01
Misdemeanor	703	682	\$ 267,677.26	500	\$ 203,615.79	\$ 407.23	3,898	3,436	\$ 1,381,536.49	\$ 402.08
Petition, Modified Release Treatment	1	1	\$ 246.00	0			2	14	\$ 6,676.16	\$ 476.87
Petition, Release or Discharge	0	0		0			1	5	\$ 2,747.44	\$ 549.49
Petition, Termination of Parental Rights	23	44	\$ 41,800.45	29	\$ 31,961.96	\$ 1,102.14	98	175	\$ 154,370.25	\$ 882.12
Post Conviction Review	5	6	\$ 13,943.09	6	\$ 14,839.06	\$ 2,473.18	48	40	\$ 90,399.25	\$ 2,259.98
Probate	4	0		0			15	6	\$ 7,580.20	\$ 1,263.37
Probation Violation	145	157	\$ 61,783.29	133	\$ 51,752.13	\$ 389.11	855	826	\$ 314,495.21	\$ 380.74
Represent Witness on 5th Amendment	0	1	\$ 492.00	2	\$ 528.00	\$ 264.00	16	19	\$ 7,505.76	\$ 395.04
Resource Counsel Criminal	1	7	\$ 702.00	4	\$ 420.00	\$ 105.00	11	16	\$ 2,562.00	\$ 160.13
Resource Counsel Juvenile	1	0		1	\$ 6.00	\$ 6.00	4	2	\$ 108.00	\$ 54.00
Resource Counsel Protective Custody	1	2	\$ 198.00	1	\$ 150.00	\$ 150.00	6	7	\$ 990.00	\$ 141.43
Review of Child Protection Order	36	147	\$ 86,764.39	93	\$ 49,230.35	\$ 529.36	255	700	\$ 357,359.10	\$ 510.51
Revocation of Administrative Release	0	2	\$ 467.16	0			6	5	\$ 1,696.20	\$ 339.24
<b>DefenderData Sub-Total</b>	<b>2,046</b>	<b>2,482</b>	<b>\$ 1,406,374.48</b>	<b>1,902</b>	<b>\$ 1,034,295.35</b>	<b>\$ 543.79</b>	<b>11,792</b>	<b>12,247</b>	<b>\$ 6,424,687.00</b>	<b>\$ 524.59</b>
<b>Paper Voucher Sub-Total</b>		<b>0</b>		<b>0</b>	<b>\$ -</b>	<b>#DIV/0!</b>		<b>0</b>		<b>#DIV/0!</b>
<b>TOTAL</b>	<b>2,046</b>	<b>2,482</b>	<b>\$1,406,374.48</b>	<b>1,902</b>	<b>\$1,034,295.35</b>	<b>\$ 543.79</b>	<b>11,792</b>	<b>12,247</b>	<b>\$ 6,424,687.00</b>	<b>\$ 524.59</b>

**MAINE COMMISSION ON INDIGENT LEGAL SERVICES**  
**FY19 FUND ACCOUNTING**  
**AS OF 11/30/2018**

Account 014 95F 2258 01 (All Other)	Mo.	Q1	Mo.	Q2	Mo.	Q3	Mo.	Q4	FY19 Total
FY19 Professional Services Allotment		\$ 4,455,000.00		\$ 4,347,001.00		\$ 4,595,478.00		\$ 4,795,226.00	
FY19 General Operations Allotment		\$ 45,000.00		\$ 45,000.00		\$ 45,000.00		\$ 45,000.00	
Budget Order Adjustment				\$ -		\$ -		\$ -	
Legislative Amendment (revenue & conference)		\$ 198,374.00		\$ 198,374.00		\$ 198,374.00		\$ 198,375.00	
<b>Total Budget Allotments</b>		<b>\$ 4,698,374.00</b>		<b>\$ 4,590,375.00</b>		<b>\$ 4,838,852.00</b>		<b>\$ 5,038,601.00</b>	<b>\$ 19,165,202.00</b>
Total Expenses	1	\$ (882,611.39)	4	\$ (1,766,940.01)	7	\$ -	10	\$ -	
	2	\$ (1,830,038.43)	5	\$ (1,150,745.03)	8	\$ -	11	\$ -	
	3	\$ (1,406,760.51)	6	\$ -	9	\$ -	12	\$ -	
Encumbrances (Somerset PDP & Justice Works)		\$ (255,467.50)		\$ 56,822.50		\$ -		\$ -	\$ (198,645.00)
Encumbrances (B Taylor, business cards)		\$ (13,000.00)		\$ 8,666.66		\$ -		\$ -	\$ (4,333.34)
<b>TOTAL REMAINING</b>		<b>\$ 310,496.17</b>		<b>\$ 1,738,179.12</b>		<b>\$ 4,838,852.00</b>		<b>\$ 5,038,601.00</b>	<b>\$ 11,926,128.29</b>

**Q2 Month 5**

**INDIGENT LEGAL SERVICES**

Counsel Payments	\$ (1,034,295.35)
Somerset County	\$ (22,687.50)
Somerset County Discovery	\$ (90.00)
Subpoena Witness Fees	\$ (25.84)
Private Investigators	\$ (32,332.13)
Mental Health Expert	\$ (11,487.50)
Transcripts	\$ (18,859.40)
Other Expert	\$ (10,942.50)
Lodging for Trial	\$ -
Process Servers	\$ (445.45)
Interpreters	\$ (2,552.50)
Misc Prof Fees & Serv	\$ (3,123.84)

**SUB-TOTAL ILS** \$ (1,136,842.01)

**OPERATING EXPENSES**

Training Facilities and Meal	\$ (1,370.27)
DefenderData	\$ (6,070.00)
JDP access to state building	\$ (25.00)
Mileage/Tolls/Parking	\$ (1,197.88)
Mailing/Postage/Freight	\$ (20.40)
West Publishing Corp	\$ (185.13)
Overseers of the Bar	\$ (35.00)
Office Supplies/Equip.	\$ (13.01)
Cellular Phones	\$ (173.00)
Biddeford parking fees	\$ (480.00)
Office Equipment Rental	\$ -
Printing & Binding	\$ -
Barbara Taylor monthly fees	\$ (4,333.33)

**SUB-TOTAL OE** \$ (13,903.02)

**TOTAL** \$ (1,150,745.03)

**INDIGENT LEGAL SERVICES**

Q2 Allotment	\$ 4,590,375.00
Q2 Encumbrances for Somerset PDP & Justice Works contracts	\$ 56,822.50
Barbara Taylor Contract	\$ 8,666.66
Q2 Expenses to date	\$ (2,917,685.04)
<b>Remaining Q1 Allotment</b>	<b>\$ 1,738,179.12</b>

**Non-Counsel Indigent Legal Services**

Monthly Total	\$ (79,769.16)
Total Q1	\$ (260,358.16)
Total Q2	\$ (161,307.66)
Total Q3	\$ -
Total Q4	\$ -
<b>Fiscal Year Total</b>	<b>\$ (421,665.82)</b>

**Conference Account Transactions**

Training Facilities	\$ 400.00
Training Meals	\$ 970.27
Printing/Binding	\$ -
Overseers of the Bar CLE fee	\$ 35.00
Collected Registration Fees	\$ (1,600.00)
<b>Current Month Total</b>	<b>\$ (194.73)</b>

MAINE COMMISSION ON INDIGENT LEGAL SERVICES  
FY19 FUND ACCOUNTING  
As of 11/30/18

Account 014 95F Z258 01 (Revenue)	Mo.	Q1	Mo.	Q2	Mo.	Q3	Mo.	Q4	FY19 Total
<b>Total Budget Allotments</b>		\$ 184,124.00		\$ 184,124.00		\$ 184,124.00		\$ 184,125.00	\$ 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>		\$ 184,124.00		\$ 184,124.00		\$ 184,124.00		\$ 184,125.00	\$ 736,497.00
Cash Carryover from Prior Quarter		\$ -		\$ -		\$ -		\$ -	
Collected Revenue from JB	1	\$ 83,016.89	4	\$ 82,863.81	7	\$ -	10	\$ -	
Promissory Note Payments		\$ -		\$ -		\$ -		\$ -	
Collected Revenue from JB	2	\$ -	5	\$ 116,115.85	8	\$ -	11	\$ -	
Court Ordered Counsel Fee		\$ -		\$ -		\$ -		\$ -	
Collected Revenue from JB (late transfer)		\$ 89,153.94		\$ -	9	\$ -		\$ -	
Collected Revenue from JB	3	\$ 86,999.14	6	\$ -	9	\$ -	12	\$ -	
Returned Checks-stopped payments		\$ -		\$ -		\$ -		\$ -	
<b>TOTAL CASH PLUS REVENUE COLLECTED</b>		\$ 259,169.97		\$ 198,979.66		\$ -		\$ -	\$ 458,149.63
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>		\$ 184,124.00		\$ 184,124.00		\$ 184,124.00		\$ 184,125.00	\$ 736,497.00
Overpayment Reimbursements	1		4	\$ (1,694.84)	7	\$ -	10	\$ -	
	2	\$ (2,905.00)	5	\$ (69.00)	8	\$ -	11	\$ -	
	3	\$ (560.00)	6	\$ -	9	\$ -	12	\$ -	
<b>REMAINING CASH Year to Date</b>		\$ 255,704.97		\$ 197,215.82		\$ -		\$ -	\$ 452,920.79

<b>Q2 Month 5</b>	
<b>DEFENDER DATA COUNSEL PAYMENTS</b>	
	\$ -
<b>SUB-TOTAL ILS</b>	\$ -
<b>OVERPAYMENT REIMBURSEMENTS</b>	
Paper Voucher	\$ (69.00)
Somerset County CDs	\$ -
Private Investigators	\$ -
Mental Health Expert	\$ -
Transcripts	\$ -
Other Expert	\$ -
StaCap Expense	\$ -
<b>SUB-TOTAL OE</b>	\$ (69.00)
<b>TOTAL</b>	\$ (69.00)

**MAINE COMMISSION ON INDIGENT LEGAL SERVICES**  
**FY19 FUND ACCOUNTING**  
AS OF 11/30/2018

Account 014 95F Z258 01 (Personal Services)	Mo.	Q1	Mo.	Q2	Mo.	Q3	Mo.	Q4	FY19 Total
FY19 Allotment	\$	197,081.00	\$	223,111.00	\$	197,084.00	\$	215,289.00	\$ -
Financial Order Adjustments	\$	-	\$	-	\$	-	\$	-	
Financial Order Adjustments	\$	-	\$	-	\$	-	\$	-	
Budget Order Adjustments			\$	-	\$	-			
<b>Total Budget Allotments</b>	<b>\$</b>	<b>197,081.00</b>	<b>\$</b>	<b>223,111.00</b>	<b>\$</b>	<b>197,084.00</b>	<b>\$</b>	<b>215,289.00</b>	<b>\$ 832,565.00</b>
Total Expenses	1 \$	(55,638.04)	4 \$	(78,750.49)	7 \$	-	10 \$	-	
	2 \$	(56,106.91)	5 \$	(55,548.91)	8 \$	-	11 \$	-	
	3 \$	(55,392.68)	6 \$	-	9 \$	-	12 \$	-	
<b>TOTAL REMAINING</b>	<b>\$</b>	<b>29,943.37</b>	<b>\$</b>	<b>88,811.60</b>	<b>\$</b>	<b>197,084.00</b>	<b>\$</b>	<b>215,289.00</b>	<b>\$ 531,127.97</b>

Q2 Month 5	
Per Diem Payments	\$ -
Salary	\$ (26,176.00)
Vacation Pay	\$ (1,074.94)
Holiday Pay	\$ (1,656.36)
Sick Pay	\$ (982.58)
Employee Hlth Svs/Workers Comp	\$ -
Health Insurance	\$ (9,287.14)
Dental Insurance	\$ (223.22)
Employer Retiree Health	\$ (3,637.36)
Employer Retirement	\$ (2,065.96)
Employer Group Life	\$ (266.00)
Employer Medicare	\$ (442.49)
Retiree Unfunded Liability	\$ (6,499.54)
July & August Per Diem	\$ -
Perm Part Time Full Ben	\$ (3,237.32)
<b>TOTAL</b>	<b>\$ (55,548.91)</b>



## MAINE COMMISSION ON INDIGENT LEGAL SERVICES

## Activity Report by Court

11/30/2018

Court	Nov-18						Fiscal Year 2019			
	New Cases	Vouchers Submitted	Submitted Amount	Vouchers Paid	Approved Amount	Average Amount	Cases Opened	Vouchers Paid	Amount Paid	Average Amount
ALFSC	6	3	\$ 13,523.26	3	\$ 11,817.98	\$ 3,939.33	27	38	\$ 43,867.56	\$ 1,154.41
AUBSC	4	3	\$ 2,304.00	3	\$ 2,436.00	\$ 812.00	12	11	\$ 11,561.84	\$ 1,051.08
AUGDC	31	42	\$ 24,922.57	46	\$ 22,441.46	\$ 487.86	203	282	\$ 142,465.56	\$ 505.20
AUGSC	14	16	\$ 8,409.00	11	\$ 6,657.00	\$ 605.18	50	75	\$ 40,208.08	\$ 536.11
BANDC	64	94	\$ 39,800.80	86	\$ 29,488.96	\$ 342.89	368	470	\$ 155,655.23	\$ 331.18
BANSC	1	1	\$ 96.00	1	\$ 96.00	\$ 96.00	2	6	\$ 19,722.50	\$ 3,287.08
BATSC	0	0		0			1	0		
BELDC	7	28	\$ 20,205.09	19	\$ 9,174.03	\$ 482.84	46	115	\$ 91,250.74	\$ 793.48
BELSC	1	1	\$ 302.80	0			2	2	\$ 934.00	\$ 467.00
BIDDC	45	53	\$ 34,894.69	46	\$ 23,126.72	\$ 502.75	307	375	\$ 192,205.33	\$ 512.55
BRIDC	6	16	\$ 7,940.65	8	\$ 4,563.11	\$ 570.39	57	63	\$ 33,585.62	\$ 533.11
CALDC	2	3	\$ 1,558.40	3	\$ 2,368.40	\$ 789.47	23	40	\$ 25,994.48	\$ 649.86
CARDC	8	22	\$ 10,675.01	15	\$ 6,792.97	\$ 452.86	53	67	\$ 28,474.79	\$ 425.00
CARSC	1	1	\$ 306.00	0			4	9	\$ 3,335.44	\$ 370.60
DOVDC	6	10	\$ 4,338.00	4	\$ 2,502.00	\$ 625.50	30	60	\$ 18,680.26	\$ 311.34
DOVSC	0	0		0			0	1	\$ 162.00	\$ 162.00
ELLDC	8	36	\$ 22,399.58	48	\$ 34,417.32	\$ 717.03	74	128	\$ 85,093.18	\$ 664.79
ELLSC	2	0		0			3	1	\$ 2,145.00	\$ 2,145.00
FARDC	7	22	\$ 19,829.31	8	\$ 5,987.40	\$ 748.43	64	84	\$ 65,083.24	\$ 774.80
FARSC	0	0		0			1	2	\$ 354.70	\$ 177.35
FORDC	12	7	\$ 3,344.72	3	\$ 1,548.00	\$ 516.00	30	30	\$ 23,045.57	\$ 768.19
HOUDC	21	24	\$ 11,244.36	19	\$ 10,575.88	\$ 556.63	86	104	\$ 48,408.89	\$ 465.47
HOUSC	0	0		0			0	2	\$ 1,867.28	\$ 933.64
LEWDC	59	80	\$ 39,887.92	49	\$ 24,070.24	\$ 491.23	370	493	\$ 229,983.98	\$ 466.50
LINDC	7	10	\$ 2,811.36	7	\$ 3,174.04	\$ 453.43	48	60	\$ 22,879.34	\$ 381.32
MACDC	5	8	\$ 3,546.00	6	\$ 2,172.00	\$ 362.00	52	79	\$ 27,645.00	\$ 349.94
MACSC	0	0		1	\$ 198.00	\$ 198.00	1	5	\$ 1,146.00	\$ 229.20
MADDC	3	2	\$ 587.36	0			8	5	\$ 1,677.44	\$ 335.49
MILDC	6	2	\$ 1,056.60	7	\$ 3,102.60	\$ 443.23	25	18	\$ 7,295.00	\$ 405.28
NEWDC	9	23	\$ 10,647.36	13	\$ 5,766.07	\$ 443.54	62	101	\$ 37,616.49	\$ 372.44
PORDC	54	113	\$ 62,112.94	84	\$ 37,933.93	\$ 451.59	401	490	\$ 250,221.34	\$ 510.66
PORSC	4	1	\$ 468.00	0			8	3	\$ 1,296.00	\$ 432.00
PREDC	28	41	\$ 14,971.64	16	\$ 5,292.32	\$ 330.77	88	104	\$ 46,388.77	\$ 446.05
ROCD	17	38	\$ 26,020.22	27	\$ 22,589.94	\$ 836.66	108	138	\$ 76,282.15	\$ 552.77
RODC	1	1	\$ 250.38	3	\$ 446.59	\$ 148.86	8	9	\$ 1,603.27	\$ 178.14
RUMDC	18	14	\$ 9,253.84	8	\$ 2,029.84	\$ 253.73	47	40	\$ 19,549.91	\$ 488.75
SKODC	16	43	\$ 24,997.74	33	\$ 23,624.54	\$ 715.90	131	205	\$ 125,241.72	\$ 610.94
SKOSC	0	0		0			0	1	\$ 486.00	\$ 486.00
SODC	13	6	\$ 2,899.94	2	\$ 743.55	\$ 371.78	34	44	\$ 23,922.79	\$ 543.70
SOUSC	0	0		0			0	6	\$ 8,318.65	\$ 1,386.44
SPRDC	42	64	\$ 36,715.01	42	\$ 18,000.84	\$ 428.59	234	275	\$ 152,698.57	\$ 555.27
Law Ct	6	11	\$ 16,056.69	9	\$ 17,317.97	\$ 1,924.22	46	64	\$ 113,624.45	\$ 1,775.38
YORCD	180	179	\$ 149,616.89	137	\$ 111,693.55	\$ 815.28	1,120	1,052	\$ 733,465.19	\$ 697.21
AROCD	102	129	\$ 55,789.85	93	\$ 37,524.56	\$ 403.49	631	512	\$ 272,110.82	\$ 531.47
ANDCD	112	131	\$ 69,663.32	98	\$ 53,208.65	\$ 542.95	779	754	\$ 361,819.22	\$ 479.87
KENCD	164	168	\$ 79,505.51	114	\$ 63,989.61	\$ 561.31	821	727	\$ 308,365.24	\$ 424.16
PENCD	200	195	\$ 99,389.83	161	\$ 91,135.32	\$ 566.06	1,161	1,051	\$ 499,047.42	\$ 474.83
SAGCD	29	41	\$ 27,874.09	26	\$ 17,049.50	\$ 655.75	160	148	\$ 98,184.51	\$ 663.41
WALCD	29	38	\$ 24,467.32	42	\$ 20,346.98	\$ 484.45	184	151	\$ 68,478.62	\$ 453.50
PISCD	20	20	\$ 5,694.88	11	\$ 3,444.88	\$ 313.17	72	59	\$ 16,440.63	\$ 278.65
HANCD	53	74	\$ 36,040.80	53	\$ 38,983.77	\$ 735.54	392	374	\$ 202,849.10	\$ 542.38
FRACD	28	45	\$ 18,149.08	32	\$ 12,160.02	\$ 380.00	178	226	\$ 105,897.09	\$ 468.57
WASCD	41	38	\$ 15,781.52	34	\$ 14,976.48	\$ 440.48	240	257	\$ 123,779.52	\$ 481.63
CUMCD	318	349	\$ 222,441.81	303	\$ 150,362.62	\$ 496.25	1,830	1,660	\$ 907,452.61	\$ 546.66
KNODC	58	46	\$ 28,148.68	30	\$ 14,696.18	\$ 489.87	268	228	\$ 113,528.45	\$ 497.93
SOMCD	2	2	\$ 575.60	1	\$ 66.00	\$ 66.00	8	6	\$ 11,638.72	\$ 1,939.79
OXFCD	76	74	\$ 33,011.10	40	\$ 15,781.30	\$ 394.53	333	335	\$ 137,572.03	\$ 410.66
LINCD	28	21	\$ 9,633.63	29	\$ 12,635.32	\$ 435.70	153	171	\$ 87,567.17	\$ 512.09
WATDC	23	39	\$ 13,390.26	24	\$ 9,549.25	\$ 397.89	139	227	\$ 100,898.10	\$ 444.49
WESDC	25	24	\$ 7,216.92	22	\$ 6,338.08	\$ 288.09	115	113	\$ 37,963.08	\$ 335.96
WISDC	6	20	\$ 17,251.49	16	\$ 15,682.58	\$ 980.16	38	48	\$ 36,069.60	\$ 751.45
WISSC	0	1	\$ 7,103.18	0			0	2	\$ 1,231.04	\$ 615.52
YORDC	18	9	\$ 7,251.48	6	\$ 4,215.00	\$ 702.50	56	41	\$ 18,350.68	\$ 447.58
<b>TOTAL</b>	<b>2,046</b>	<b>2,482</b>	<b>\$ 1,406,374.48</b>	<b>1,902</b>	<b>\$ 1,034,295.35</b>	<b>\$ 543.79</b>	<b>11,792</b>	<b>12,247</b>	<b>\$ 6,424,687.00</b>	<b>\$ 524.59</b>



# MAINE COMMISSION ON INDIGENT LEGAL SERVICES

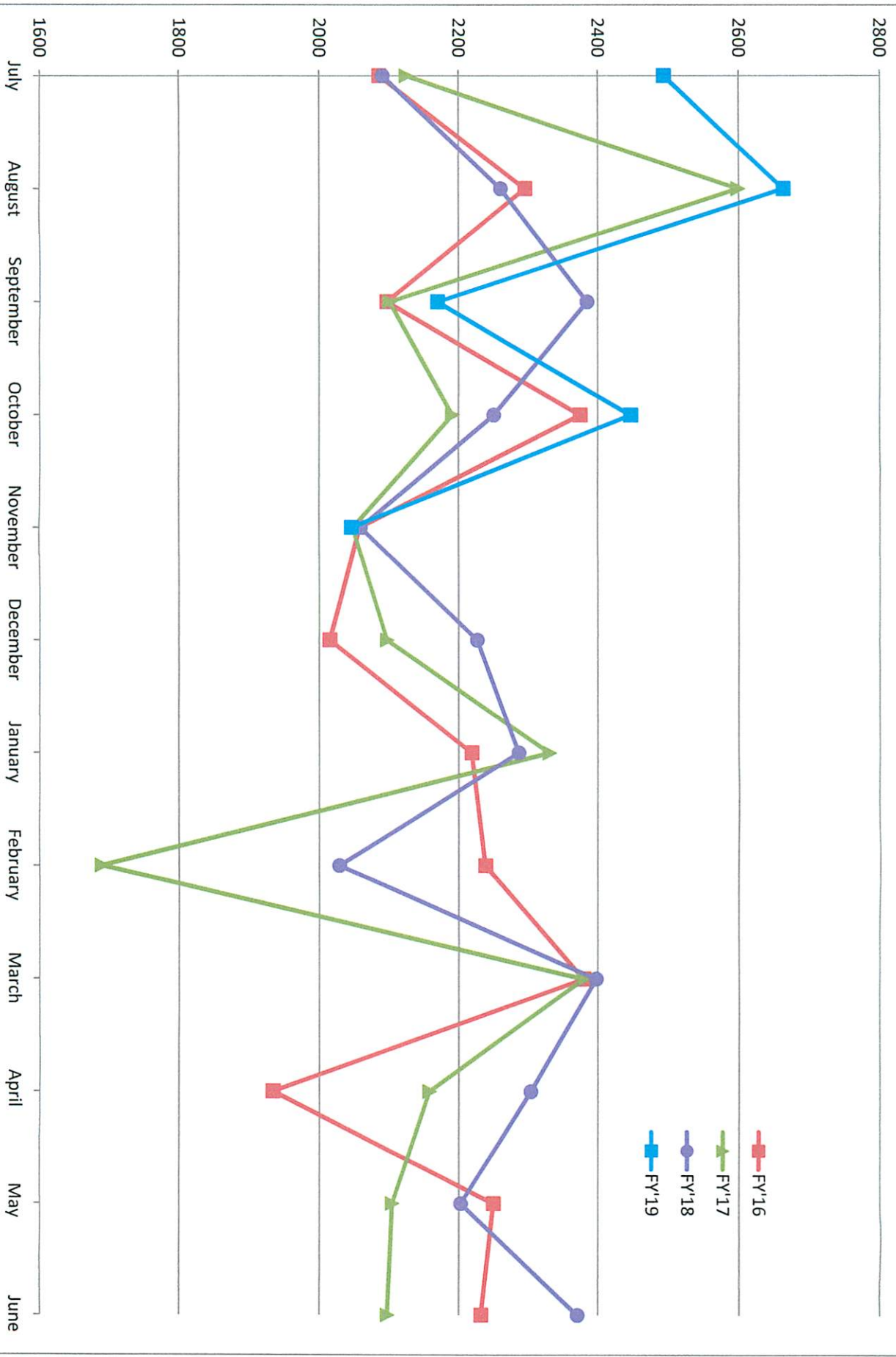
## Number of Attorneys Rostered by Court

11/30/2018

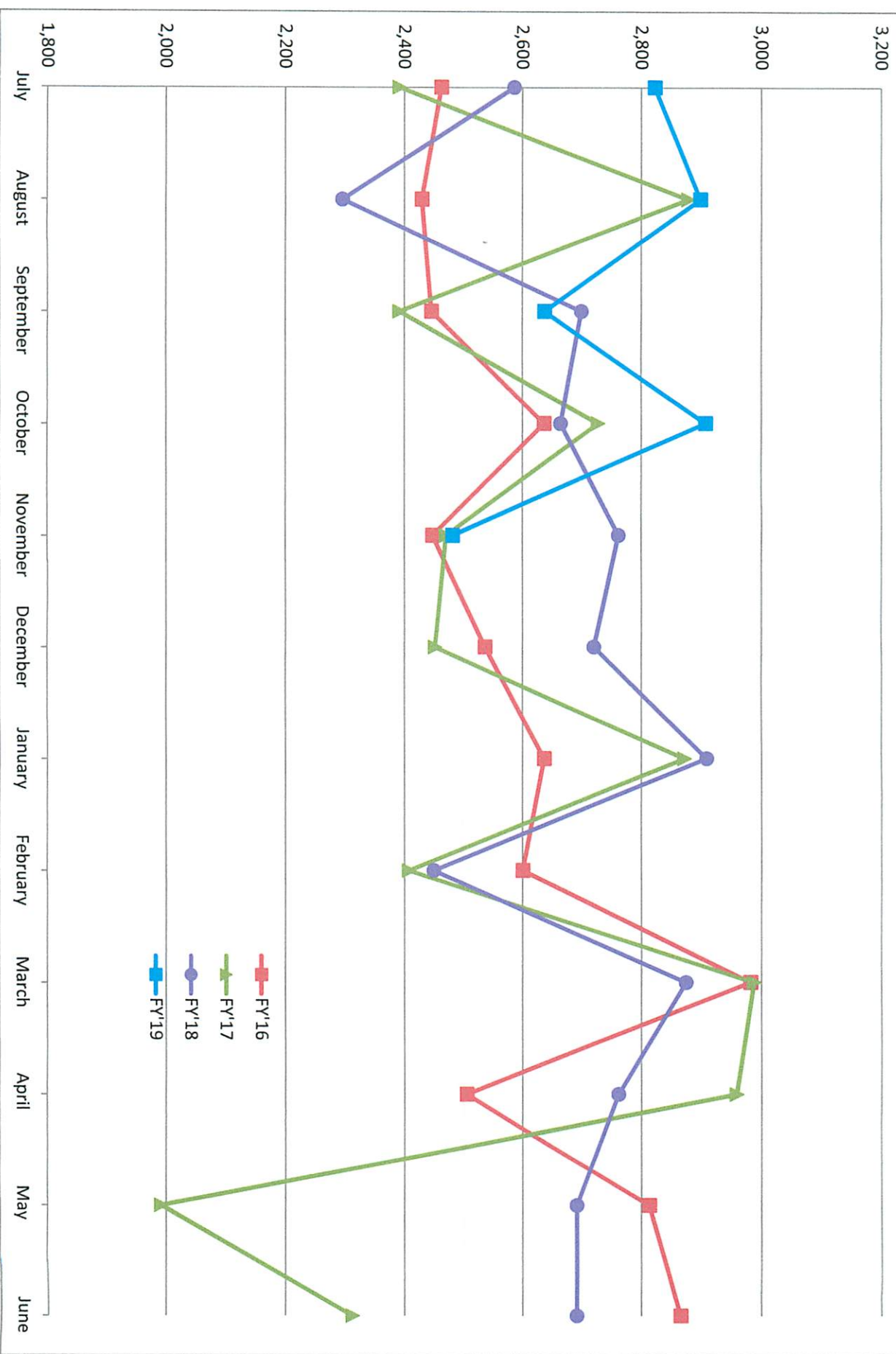
Court	Rostered Attorneys
Augusta District Court	88
Bangor District Court	45
Belfast District Court	43
Biddeford District Court	133
Bridgton District Court	86
Calais District Court	12
Caribou District Court	19
Dover-Foxcroft District Court	24
Ellsworth District Court	34
Farmington District Court	30
Fort Kent District Court	12
Houlton District Court	16
Lewiston District Court	117
Lincoln District Court	22
Machias District Court	17
Madawaska District Court	13
Millinocket District Court	17
Newport District Court	33
Portland District Court	153
Presque Isle District Court	16
Rockland District Court	38
Rumford District Court	23
Skowhegan District Court	24

Court	Rostered Attorneys
South Paris District Court	51
Springvale District Court	116
Unified Criminal Docket Alfred	119
Unified Criminal Docket Aroostook	23
Unified Criminal Docket Auburn	95
Unified Criminal Docket Augusta	82
Unified Criminal Docket Bangor	46
Unified Criminal Docket Bath	87
Unified Criminal Docket Belfast	43
Unified Criminal Docket Dover Foxcroft	22
Unified Criminal Docket Ellsworth	37
Unified Criminal Docket Farmington	33
Unified Criminal Docket Machias	18
Unified Criminal Docket Portland	154
Unified Criminal Docket Rockland	34
Unified Criminal Docket Skowhegan	18
Unified Criminal Docket South Paris	41
Unified Criminal Docket Wiscasset	52
Waterville District Court	45
West Bath District Court	104
Wiscasset District Court	57
York District Court	101

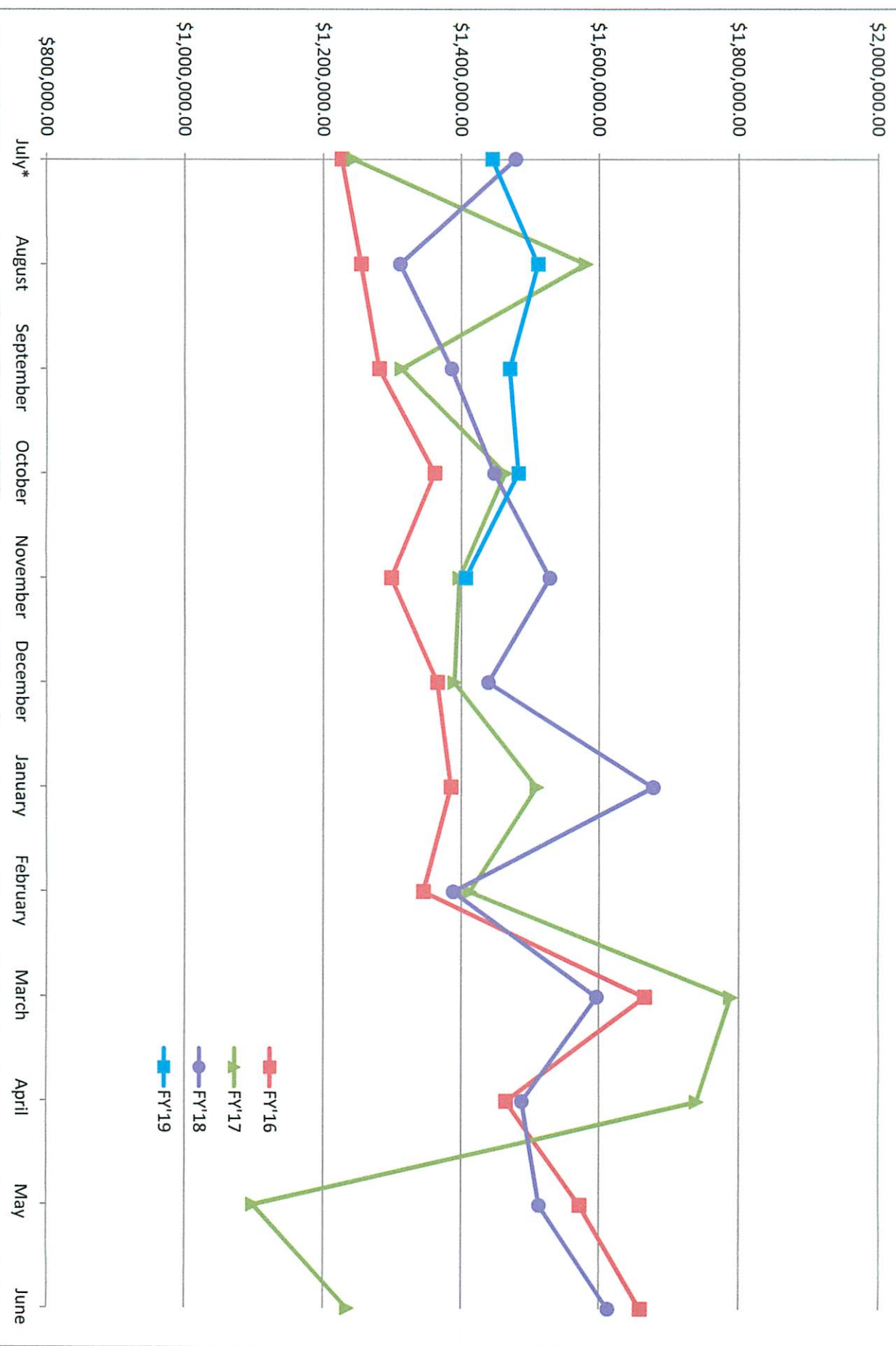
# NEW CASES



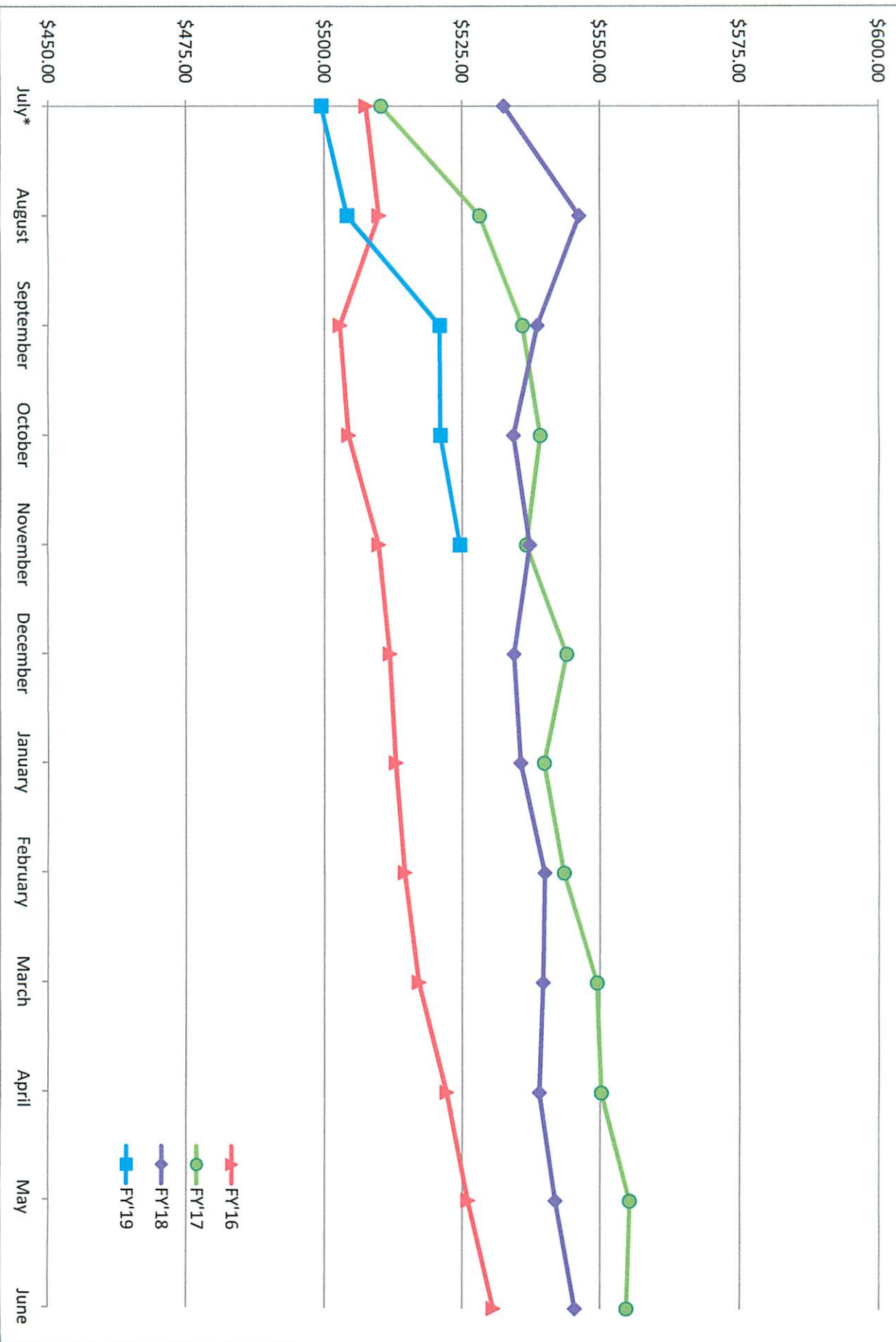
# Submitted Vouchers



# Submitted Voucher Amount

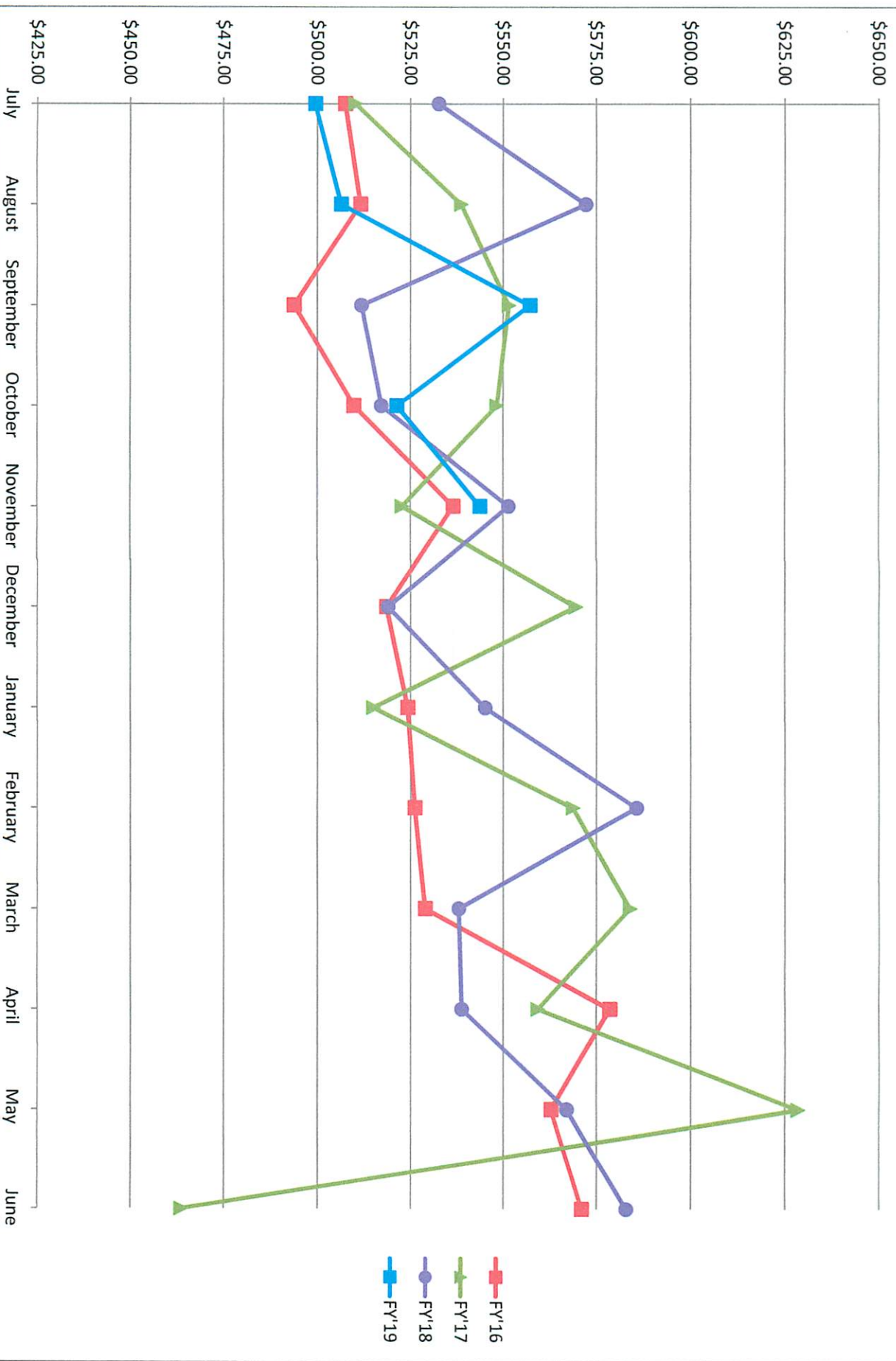


## Average Voucher Price Fiscal Year to Date

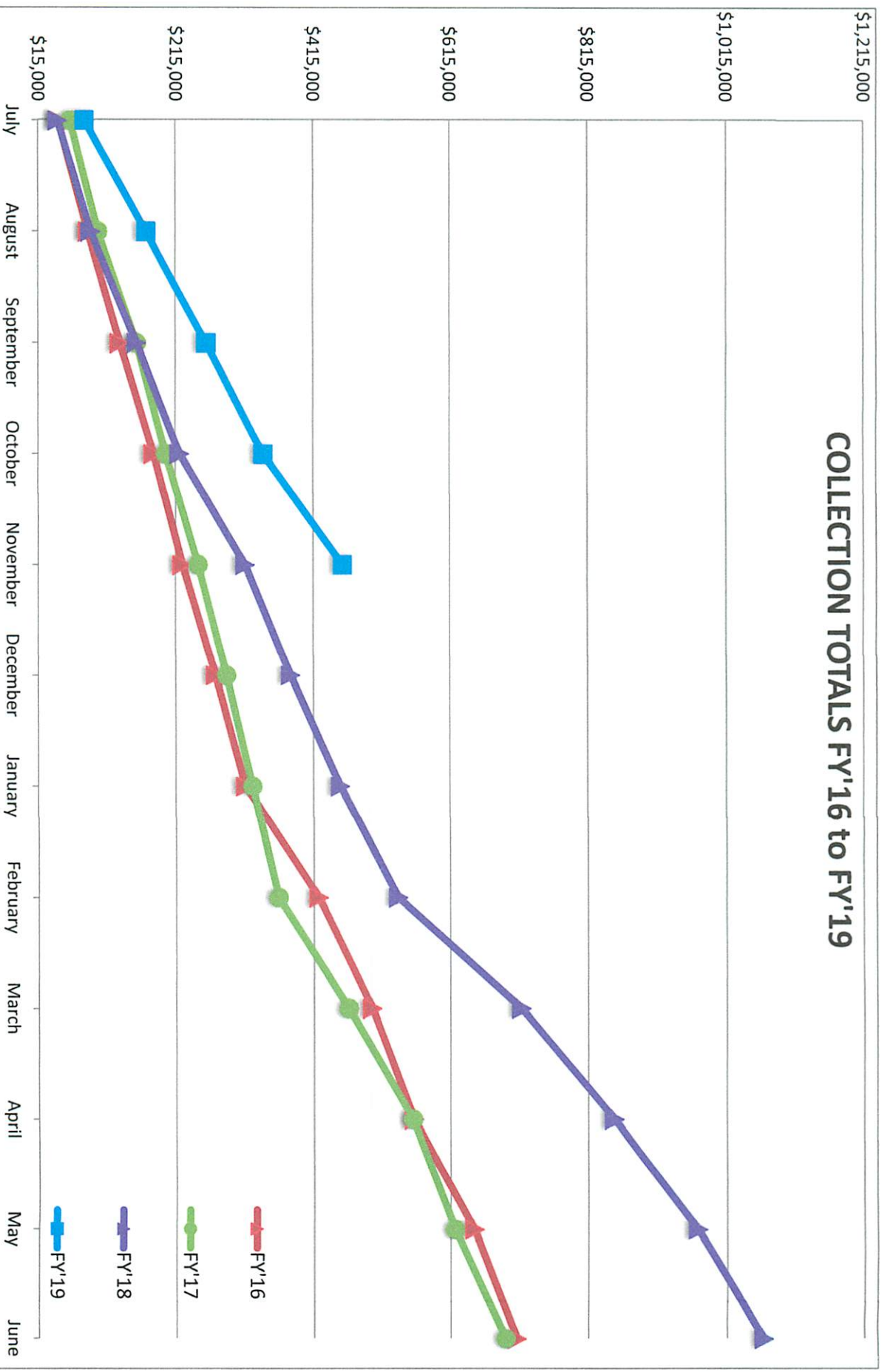




# Monthly Price Per Voucher



# COLLECTION TOTALS FY'16 to FY'19



**(3.)**

# **Fee Schedule Rule Discussion**



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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:** FEE SCHEDULE RULE  
**DATE:** DECEMBER 5, 2018

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At its last meeting, the Commission reviewed information breaking down vouchers subject to the various fee caps by percentile amount. To further their review, the Commission requested a breakdown of Appeal and PCR vouchers arising exclusively from Murder cases. The requested data is included in a revised voucher analysis document that is attached.

In addition, the Commission requested data regarding bids received in response to the Appeal RFP issued in November of 2016. The RFP requested bids stating a flat fee amount per case. We received two bids for Criminal appeals in the amounts of \$3,800 and \$3,350 and one bid for child Protective appeals in the amount of \$3,500.

**Probation Violation - Cap \$540**

	FY16	FY17	FY18
Number of Vouchers Paid	2068	1764	2334
Number Exceeding the Cap	411	363	409
Percentage Exceeding the Cap	19.87%	20.58%	17.52%
95th Percentile Amount	\$ 994.00	\$ 1,080.00	\$ 984.00
90th Percentile Amount	\$ 762.00	\$ 810.00	\$ 730.00
85th Percentile Amount	\$ 628.00	\$ 666.00	\$ 594.00
80th Percentile Amount	\$ 540.00	\$ 552.00	\$ 540.00
Median Voucher Amount	\$ 330.00	\$ 342.00	\$ 318.00
Mean Voucher Amount	\$ 408.06	\$ 430.49	\$ 390.80

**Post-Conviction Review - Cap \$1,200**

	FY16	FY17	FY18
Number of Vouchers Paid	80	82	104
Number Exceeding the Cap	36	32	52
Percentage Exceeding the Cap	45.00%	39.02%	50.00%
95th Percentile Amount	\$ 5,374.00	\$ 6,230.00	\$ 5,987.00
90th Percentile Amount	\$ 4,401.00	\$ 5,028.00	\$ 4,534.00
85th Percentile Amount	\$ 3,905.00	\$ 3,288.00	\$ 3,408.00
80th Percentile Amount	\$ 3,042.00	\$ 2,785.00	\$ 2,682.00
Median Voucher Amount	\$ 1,133.00	\$ 1,038.00	\$ 1,200.00
Mean Voucher Amount	\$ 1,774.51	\$ 1,794.41	\$ 3,239.85

**Post-Conviction Review w/out Murder- Cap \$1,200**

	FY16	FY17	FY18
Number of Vouchers Paid	69	64	83
Number Exceeding the Cap	26	18	36
Percentage Exceeding the Cap	37.68%	28.13%	43.37%
95th Percentile Amount	\$ 5,283.28	\$ 3,700.16	\$ 5,601.92
90th Percentile Amount	\$ 3,698.30	\$ 2,941.32	\$ 3,504.36
85th Percentile Amount	\$ 2,723.50	\$ 2,262.00	\$ 3,315.29
80th Percentile Amount	\$ 2,256.00	\$ 1,896.00	\$ 2,309.20
Median Voucher Amount	\$ 852.00	\$ 873.00	\$ 1,044.00
Mean Voucher Amount	\$ 1,351.75	\$ 1,310.40	\$ 1,575.08

**Post-Conviction Review Murder Only- Cap \$1,200**

Fiscal Years 2016, 2017, and 2018 Combined

Number of Vouchers Paid	44
Number Exceeding the Cap	36
Percentage Exceeding the Cap	81.82%
95th Percentile Amount	\$ 9,970.68
90th Percentile Amount	\$ 8,888.46
85th Percentile Amount	\$ 6,230.88
80th Percentile Amount	\$ 5,880.00
Median Voucher Amount	\$ 2,900.00
Mean Voucher Amount	\$ 6,830.08
	(\$3,955.62 mean if 130K voucher excluded)

**Child Protection Petition - Cap \$900**

	FY16	FY17	FY18
Number of Vouchers Paid	3604	3189	4093
Number Exceeding the Cap	692	660	774
Percentage Exceeding the Cap	19.20%	20.70%	18.91%
95th Percentile Amount	\$ 1,610.00	\$ 1,842.00	\$ 1,688.00
90th Percentile Amount	\$ 1,180.00	\$ 1,326.00	\$ 1,249.00
85th Percentile Amount	\$ 993.00	\$ 1,080.00	\$ 1,008.00
80th Percentile Amount	\$ 897.00	\$ 923.00	\$ 900.00
Median Voucher Amount	\$ 504.00	\$ 553.92	\$ 510.00
Mean Voucher Amount	\$ 641.28	\$ 687.59	\$ 647.60

**Review of Child Protection Order - Cap \$900**

	FY16	FY17	FY18
Number of Vouchers Paid	1865	1696	2037
Number Exceeding the Cap	234	259	282
Percentage Exceeding the Cap	12.55%	15.27%	13.84%
95th Percentile Amount	\$ 1,227.00	\$ 1,439.84	\$ 1,362.00
90th Percentile Amount	\$ 946.92	\$ 1,092.00	\$ 1,020.00
85th Percentile Amount	\$ 876.50	\$ 912.32	\$ 900.00
80th Percentile Amount	\$ 768.00	\$ 882.00	\$ 840.00
Median Voucher Amount	\$ 408.00	\$ 444.00	\$ 444.00
Mean Voucher Amount	\$ 522.68	\$ 571.96	\$ 555.62

**Termination of Parental Rights- Cap \$1,260**

	FY16	FY17	FY18
Number of Vouchers Paid	1026	912	878
Number Exceeding the Cap	114	107	128
Percentage Exceeding the Cap	11.11%	11.73%	14.58%
95th Percentile Amount	\$ 1,840.16	\$ 2,131.59	\$ 1,974.00
90th Percentile Amount	\$ 1,380.00	\$ 1,410.00	\$ 1,491.00
85th Percentile Amount	\$ 1,094.40	\$ 1,134.00	\$ 1,260.00
80th Percentile Amount	\$ 949.28	\$ 958.36	\$ 1,086.00
Median Voucher Amount	\$ 522.00	\$ 528.00	\$ 561.00
Mean Voucher Amount	\$ 680.05	\$ 724.76	\$ 741.76

**Appeal - Cap \$1,200**

	FY16	FY17	FY18
Number of Vouchers Paid	301	271	292
Number Exceeding the Cap	117	113	134
Percentage Exceeding the Cap	38.87%	41.70%	45.89%
95th Percentile Amount	\$ 3,579.00	\$ 4,818.00	\$ 4,476.00
90th Percentile Amount	\$ 2,770.00	\$ 3,529.00	\$ 3,130.00
85th Percentile Amount	\$ 2,375.00	\$ 2,868.00	\$ 2,604.00
80th Percentile Amount	\$ 1,975.00	\$ 2,256.00	\$ 2,148.00
Median Voucher Amount	\$ 955.50	\$ 967.98	\$ 1,128.00
Mean Voucher Amount	\$ 1,386.74	\$ 1,623.93	\$ 1,510.94

**Appeal w/out Murder - Cap \$1,200**

	FY16	FY17	FY18
Number of Vouchers Paid	283	251	277
Number Exceeding the Cap	107	100	128
Percentage Exceeding the Cap	37.81%	39.84%	46.21%
95th Percentile Amount	\$ 3,250.48	\$ 3,809.03	\$ 4,200.00
90th Percentile Amount	\$ 2,538.13	\$ 3,191.00	\$ 3,130.61
85th Percentile Amount	\$ 2,276.96	\$ 2,530.76	\$ 2,742.00
80th Percentile Amount	\$ 1,872.00	\$ 2,116.27	\$ 2,207.33
Median Voucher Amount	\$ 942.00	\$ 954.00	\$ 1,132.58
Mean Voucher Amount	\$ 1,205.43	\$ 1,371.12	\$ 1,445.07

**Appeal Murder Only- Cap \$1,200**

Fiscal Years 2016, 2017, 2018 Combined

Number of Vouchers Paid	46
Number Exceeding the Cap	25
Percentage Exceeding the Cap	54.35%
95th Percentile Amount	\$ 19,471.19
90th Percentile Amount	\$ 7,854.50
85th Percentile Amount	\$ 6,320.79
80th Percentile Amount	\$ 4,860.51
Median Voucher Amount	\$ 1,520.00
Mean Voucher Amount	\$ 3,703.14

**Murder - No Cap**

	FY16	FY17	FY18
Number of Vouchers Paid	62	52	56
Number Exceeding the Cap	N/A	N/A	N/A
Percentage Exceeding the Cap	NA	N/A	N/A
95th Percentile Amount	\$ 17,477.90	\$ 17,180.82	\$ 24,678.80
90th Percentile Amount	\$ 11,417.48	\$ 14,550.00	\$ 17,200.34
85th Percentile Amount	\$ 8,567.60	\$ 12,615.39	\$ 16,896.00
80th Percentile Amount	\$ 5,954.36	\$ 8,482.79	\$ 15,537.16
Median Voucher Amount	\$ 3,060.00	\$ 3,890.00	\$ 5,474.08
Mean Voucher Amount	\$ 4,938.23	\$ 5,363.10	\$ 9,429.93

**Class A - Cap \$3,000**

	FY16	FY17	FY18
Number of Vouchers Paid	875	740	1015
Number Exceeding the Cap	92	80	105
Percentage Exceeding the Cap	10.51%	10.81%	10.34%
95th Percentile Amount	\$ 4,656.00	\$ 4,428.29	\$ 4,942.58
90th Percentile Amount	\$ 3,090.80	\$ 3,161.40	\$ 3,113.22
85th Percentile Amount	\$ 2,434.50	\$ 2,574.00	\$ 2,526.00
80th Percentile Amount	\$ 1,977.50	\$ 2,340.00	\$ 2,168.12
Median Voucher Amount	\$ 891.76	\$ 1,097.00	\$ 990.00
Mean Voucher Amount	\$ 1,485.12	\$ 1,510.97	\$ 1,539.91

**Class B/C Person - Cap 2,250**

	FY16	FY17	FY18
Number of Vouchers Paid	1314	1138	1606
Number Exceeding the Cap	98	76	112
Percentage Exceeding the Cap	7.46%	6.68%	6.97%
95th Percentile Amount	\$ 2,718.00	\$ 2,659.55	\$ 2,564.44
90th Percentile Amount	\$ 1,978.80	\$ 1,932.00	\$ 1,986.00
85th Percentile Amount	\$ 1,591.50	\$ 1,542.40	\$ 1,596.00
80th Percentile Amount	\$ 1,389.50	\$ 1,308.00	\$ 1,314.00
Median Voucher Amount	\$ 678.00	\$ 666.00	\$ 654.00
Mean Voucher Amount	\$ 984.56	\$ 924.88	\$ 938.61

**Class B/C Property - Cap \$1,500**

	FY16	FY17	FY18
Number of Vouchers Paid	5404	4162	5174
Number Exceeding the Cap	276	259	282
Percentage Exceeding the Cap	5.11%	6.22%	5.45%
95th Percentile Amount	\$ 1,508.96	\$ 1,680.00	\$ 1,584.00
90th Percentile Amount	\$ 1,232.00	\$ 1,308.00	\$ 1,248.00
85th Percentile Amount	\$ 1,020.00	\$ 1,087.00	\$ 1,044.00
80th Percentile Amount	\$ 880.50	\$ 942.00	\$ 893.30
Median Voucher Amount	\$ 462.00	\$ 492.00	\$ 480.00
Mean Voucher Amount	\$ 602.55	\$ 654.10	\$ 616.91



**MISDEMEANOR - Cap \$750**

	<b>FY16</b>	<b>FY17</b>	<b>FY18</b>
<b>Number of Vouchers Paid</b>	<b>8295</b>	<b>7515</b>	<b>9791</b>
<b>Number Exceeding the Cap</b>	<b>751</b>	<b>771</b>	<b>931</b>
<b>Percentage Exceeding the Cap</b>	<b>9.05%</b>	<b>10.26%</b>	<b>9.51%</b>
<b>95th Percentile Amount</b>	<b>\$ 978.00</b>	<b>\$ 1,026.00</b>	<b>\$ 1,014.00</b>
<b>90th Percentile Amount</b>	<b>\$ 739.00</b>	<b>\$ 756.50</b>	<b>\$ 750.00</b>
<b>85th Percentile Amount</b>	<b>\$ 641.50</b>	<b>\$ 684.00</b>	<b>\$ 672.00</b>
<b>80th Percentile Amount</b>	<b>\$ 559.00</b>	<b>\$ 606.00</b>	<b>\$ 588.00</b>
<b>Median Voucher Amount</b>	<b>\$ 322.00</b>	<b>\$ 330.00</b>	<b>\$ 324.00</b>
<b>Mean Voucher Amount</b>	<b>\$ 396.68</b>	<b>\$ 415.81</b>	<b>\$ 411.67</b>

**(4.)**

**Sixth Amendment Center**

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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:** SIXTH AMENDMENT CENTER UPDATE  
**DATE:** DECEMBER 5, 2018

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In early November, the Sixth Amendment Center contacted the staff with questions about experts and investigators. In addition to answering the questions, we provided copies of the spreadsheets for 2018 showing authorizations for experts and investigators, etc., together with a copy of the Activity Report by Case Type showing fiscal year totals for FY'18.

We have not had further contact from the Sixth Amendment Center nor any feedback from attorneys regarding their activities in November.

**(5.)**

**Franklin County**

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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:** POTENTIAL CONTRACT FOR FRANKLIN COUNTY  
**DATE:** NOVEMBER 8, 2018

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Prior to the last meeting, I had requested that the group of attorneys interested in a contract for criminal cases in Franklin County submit a narrative summary of their proposal. I have not had a response.

At the last meeting, Commission Welch requested data on costs in criminal cases in Franklin County. Attached are activity reports showing expenditures in the Franklin County UCD for fiscal years 2014 through 2108.

**Maine Commission on Indigent Legal Services****Activity Report by Court and Case Type**

07/01/2017 to 06/30/2018

**Unified Criminal Docket Farmington**

Case Type	New Cases	Vouchers Submitted	Submitted Amount	Vouchers Paid	Approved Paid	Average Amount
Appeal	1	1	\$7,844.60	1	\$7,844.60	\$7,844.60
Child Protection Petition	0	0	\$0.00	0	\$0.00	\$0.00
Drug Court	0	0	\$0.00	0	\$0.00	\$0.00
Emancipation	0	0	\$0.00	0	\$0.00	\$0.00
Felony	151	166	\$137,135.46	174	\$143,747.64	\$826.14
Involuntary Civil Commitment	0	0	\$0.00	0	\$0.00	\$0.00
Juvenile	0	0	\$0.00	1	\$2,216.00	\$2,216.00
Lawyer of the Day - Custody	100	97	\$20,613.84	105	\$22,199.83	\$211.43
Lawyer of the Day - Juvenile	2	2	\$202.60	2	\$202.60	\$101.30
Lawyer of the Day - Walk-in	16	18	\$7,204.00	18	\$7,204.00	\$400.22
Misdemeanor	235	235	\$104,793.23	263	\$114,810.78	\$436.54
Petition for Modified Release Treatment	0	0	\$0.00	0	\$0.00	\$0.00
Petition for Release or Discharge	0	0	\$0.00	0	\$0.00	\$0.00
Petition for Termination of Parental Rights	0	0	\$0.00	0	\$0.00	\$0.00
Post-Conviction Review	4	2	\$3,864.36	2	\$3,864.36	\$1,932.18
Probate	0	0	\$0.00	0	\$0.00	\$0.00
Probation Violation	39	32	\$9,397.20	34	\$9,943.12	\$292.44
Represent Witness on Fifth Amendment	0	0	\$0.00	0	\$0.00	\$0.00
Resource Counsel Criminal	0	0	\$0.00	0	\$0.00	\$0.00
Resource Counsel Juvenile	0	0	\$0.00	0	\$0.00	\$0.00
Resource Counsel Protective Custody	0	0	\$0.00	0	\$0.00	\$0.00
Review of Child Protection Order	0	0	\$0.00	0	\$0.00	\$0.00
Revocation of Administrative Release	1	0	\$0.00	0	\$0.00	\$0.00
<b>Summary</b>	<b>549</b>	<b>553</b>	<b>\$291,055.29</b>	<b>600</b>	<b>\$312,032.93</b>	<b>\$520.05</b>

# Maine Commission on Indigent Legal Services

## Activity Report by Court and Case Type

07/01/2016 to 06/30/2017

### Unified Criminal Docket Farmington

Case Type	New Cases	Vouchers Submitted	Submitted Amount	Vouchers Paid	Approved Paid	Average Amount
Appeal	0	1	\$10,596.52	1	\$10,596.52	\$10,596.52
Child Protection Petition	1	1	\$1,678.80	1	\$1,678.80	\$1,678.80
Drug Court	0	0	\$0.00	0	\$0.00	\$0.00
Emancipation	0	0	\$0.00	0	\$0.00	\$0.00
Felony	123	137	\$150,717.74	132	\$146,621.75	\$1,110.77
Involuntary Civil Commitment	0	0	\$0.00	0	\$0.00	\$0.00
Juvenile	0	2	\$3,317.00	1	\$1,101.00	\$1,101.00
Lawyer of the Day - Custody	109	94	\$18,820.98	85	\$17,056.78	\$200.67
Lawyer of the Day - Juvenile	2	2	\$411.28	3	\$471.28	\$157.09
Lawyer of the Day - Walk-in	27	23	\$6,860.32	25	\$7,942.72	\$317.71
Misdemeanor	242	251	\$91,762.64	232	\$82,813.45	\$356.95
Petition for Modified Release Treatment	0	0	\$0.00	0	\$0.00	\$0.00
Petition for Release or Discharge	0	0	\$0.00	0	\$0.00	\$0.00
Petition for Termination of Parental Rights	0	0	\$0.00	0	\$0.00	\$0.00
Post-Conviction Review	0	1	\$570.00	1	\$570.00	\$570.00
Probate	0	0	\$0.00	0	\$0.00	\$0.00
Probation Violation	32	29	\$8,353.16	27	\$7,022.24	\$260.08
Represent Witness on Fifth Amendment	0	0	\$0.00	0	\$0.00	\$0.00
Resource Counsel Criminal	0	0	\$0.00	0	\$0.00	\$0.00
Resource Counsel Juvenile	0	0	\$0.00	0	\$0.00	\$0.00
Resource Counsel Protective Custody	0	0	\$0.00	0	\$0.00	\$0.00
Review of Child Protection Order	1	1	\$1,254.00	0	\$0.00	\$0.00
Revocation of Administrative Release	0	0	\$0.00	0	\$0.00	\$0.00
<b>Summary</b>	<b>537</b>	<b>542</b>	<b>\$294,342.44</b>	<b>508</b>	<b>\$275,874.54</b>	<b>\$543.06</b>

**Maine Commission on Indigent Legal Services****Activity Report by Court and Case Type**

07/01/2015 to 06/30/2016

**Unified Criminal Docket Farmington**

<b>Case Type</b>	<b>New Cases</b>	<b>Vouchers Submitted</b>	<b>Submitted Amount</b>	<b>Vouchers Paid</b>	<b>Approved Paid</b>	<b>Average Amount</b>
Appeal	0	2	\$3,527.00	2	\$3,527.00	\$1,763.50
Child Protection Petition	0	0	\$0.00	0	\$0.00	\$0.00
Drug Court	0	0	\$0.00	0	\$0.00	\$0.00
Emancipation	0	0	\$0.00	0	\$0.00	\$0.00
Felony	170	185	\$117,629.51	185	\$113,057.06	\$611.12
Involuntary Civil Commitment	0	0	\$0.00	0	\$0.00	\$0.00
Juvenile	2	0	\$0.00	0	\$0.00	\$0.00
Lawyer of the Day - Custody	111	110	\$20,224.62	114	\$20,567.02	\$180.41
Lawyer of the Day - Juvenile	3	3	\$549.28	2	\$489.28	\$244.64
Lawyer of the Day - Walk-in	34	37	\$11,772.92	37	\$11,020.52	\$297.85
Misdemeanor	261	268	\$82,325.96	262	\$81,992.23	\$312.95
Petition for Modified Release Treatment	0	0	\$0.00	0	\$0.00	\$0.00
Petition for Release or Discharge	0	0	\$0.00	0	\$0.00	\$0.00
Petition for Termination of Parental Rights	0	0	\$0.00	0	\$0.00	\$0.00
Post-Conviction Review	1	0	\$0.00	0	\$0.00	\$0.00
Probate	0	0	\$0.00	0	\$0.00	\$0.00
Probation Violation	30	27	\$9,473.90	27	\$9,518.12	\$352.52
Represent Witness on Fifth Amendment	1	0	\$0.00	0	\$0.00	\$0.00
Resource Counsel Criminal	0	0	\$0.00	0	\$0.00	\$0.00
Resource Counsel Juvenile	0	0	\$0.00	0	\$0.00	\$0.00
Resource Counsel Protective Custody	0	0	\$0.00	0	\$0.00	\$0.00
Review of Child Protection Order	0	0	\$0.00	0	\$0.00	\$0.00
Revocation of Administrative Release	1	0	\$0.00	0	\$0.00	\$0.00
<b>Summary</b>	<b>614</b>	<b>632</b>	<b>\$245,503.19</b>	<b>629</b>	<b>\$240,171.23</b>	<b>\$381.83</b>



# **Maine Commission on Indigent Legal Services**

## **Activity Report by Court and Case Type**

07/01/2014 to 06/30/2015

### **Unified Criminal Docket Farmington**

Case Type	New Cases	Vouchers Submitted	Submitted Amount	Vouchers Paid	Approved Paid	Average Amount
Appeal	1	2	\$6,924.50	2	\$6,924.50	\$3,462.25
Child Protection Petition	0	0	\$0.00	0	\$0.00	\$0.00
Drug Court	0	0	\$0.00	0	\$0.00	\$0.00
Emancipation	0	0	\$0.00	0	\$0.00	\$0.00
Felony	146	151	\$98,705.78	146	\$101,287.98	\$693.75
Involuntary Civil Commitment	0	0	\$0.00	0	\$0.00	\$0.00
Juvenile	0	0	\$0.00	0	\$0.00	\$0.00
Lawyer of the Day - Custody	113	113	\$15,597.98	111	\$15,304.58	\$137.88
Lawyer of the Day - Juvenile	1	1	\$126.50	1	\$126.50	\$126.50
Lawyer of the Day - Walk-in	63	59	\$10,630.54	58	\$10,626.94	\$183.22
Misdemeanor	274	298	\$78,613.37	296	\$77,524.78	\$261.91
Petition for Modified Release Treatmer	0	0	\$0.00	0	\$0.00	\$0.00
Petition for Release or Discharge	0	0	\$0.00	0	\$0.00	\$0.00
Petition for Termination of Parental Rig	0	0	\$0.00	0	\$0.00	\$0.00
Post-Conviction Review	1	4	\$4,014.80	4	\$4,014.80	\$1,003.70
Probate	0	0	\$0.00	0	\$0.00	\$0.00
Probation Violation	18	16	\$7,785.44	16	\$8,009.94	\$500.62
Represent Witness on Fifth Amendmei	0	0	\$0.00	0	\$0.00	\$0.00
Resource Counsel Criminal	0	0	\$0.00	0	\$0.00	\$0.00
Resource Counsel Juvenile	0	0	\$0.00	0	\$0.00	\$0.00
Resource Counsel Protective Custody	0	0	\$0.00	0	\$0.00	\$0.00
Review of Child Protection Order	0	0	\$0.00	0	\$0.00	\$0.00
Revocation of Administrative Release	0	0	\$0.00	0	\$0.00	\$0.00
<b>Summary</b>	<b>617</b>	<b>644</b>	<b>\$222,398.91</b>	<b>634</b>	<b>\$223,820.02</b>	<b>\$353.03</b>

**Maine Commission on Indigent Legal Services****Activity Report by Court and Case Type**

07/01/2013 to 06/30/2014

**Unified Criminal Docket Farmington**

Case Type	New Cases	Vouchers Submitted	Submitted Amount	Vouchers Paid	Approved Paid	Average Amount
Appeal	1	0	\$0.00	0	\$0.00	\$0.00
Child Protection Petition	0	0	\$0.00	0	\$0.00	\$0.00
Drug Court	0	0	\$0.00	0	\$0.00	\$0.00
Emancipation	0	0	\$0.00	0	\$0.00	\$0.00
Felony	98	76	\$41,475.81	74	\$37,369.98	\$505.00
Involuntary Civil Commitment	0	0	\$0.00	0	\$0.00	\$0.00
Juvenile	0	0	\$0.00	0	\$0.00	\$0.00
Lawyer of the Day - Custody	85	79	\$11,217.50	83	\$11,717.50	\$141.17
Lawyer of the Day - Juvenile	0	2	\$120.00	3	\$220.00	\$73.33
Lawyer of the Day - Walk-in	30	27	\$5,663.90	28	\$5,920.00	\$211.43
Misdemeanor	195	161	\$46,699.13	169	\$47,544.75	\$281.33
Petition for Modified Release Treatmer	0	0	\$0.00	0	\$0.00	\$0.00
Petition for Release or Discharge	0	0	\$0.00	0	\$0.00	\$0.00
Petition for Termination of Parental Rig	0	0	\$0.00	0	\$0.00	\$0.00
Post-Conviction Review	3	0	\$0.00	0	\$0.00	\$0.00
Probate	0	0	\$0.00	0	\$0.00	\$0.00
Probation Violation	10	4	\$727.70	3	\$387.70	\$129.23
Represent Witness on Fifth Amendmei	0	0	\$0.00	0	\$0.00	\$0.00
Resource Counsel Criminal	0	0	\$0.00	0	\$0.00	\$0.00
Resource Counsel Juvenile	0	0	\$0.00	0	\$0.00	\$0.00
Resource Counsel Protective Custody	0	0	\$0.00	0	\$0.00	\$0.00
Review of Child Protection Order	0	0	\$0.00	0	\$0.00	\$0.00
Revocation of Administrative Release	2	1	\$270.00	1	\$270.00	\$270.00
<b>Summary</b>	<b>424</b>	<b>350</b>	<b>\$106,174.04</b>	<b>361</b>	<b>\$103,429.93</b>	<b>\$286.51</b>