

**MCILS**

**January 15, 2019  
Commissioner's Meeting  
Packet**

---

---

**MAINE COMMISSION ON INDIGENT LEGAL SERVICES**

---

---

**JANUARY 15, 2019**  
**COMMISSION MEETING**  
**ROOM 111B, 19 UNION STREET, AUGUSTA, ME**  
**AGENDA**

---

- 1) Approval of December 11, 2018, Commission Meeting Minutes
- 2) Operations Reports
- 3) Fee Schedule Rule Discussion
- 4) Budget Update
- 5) Sixth Amendment Center Study
- 6) Franklin County Cost Data
- 7) Public Comment
- 8) Set Date, Time and Location of Next Regular Meeting of the Commission
- 9) Executive Session, if needed (Closed to Public)

**(1.)**

**December 11, 2018  
Commission Meeting  
Minutes**

**Maine Commission on Indigent Legal Services – Commissioners Meeting  
December 11, 2018**

**Minutes**

**Commissioners Present:** Steven Carey, William Logan, 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 November 13, 2018 Commission Meeting Minutes	No discussion of meeting minutes.	Commissioner Logan did not attend the November 13, 2018 meeting and abstained from voting. Chair Carey moved for approval, Commissioner Welch seconded. All present at the last meeting voted in favor. Approved.
Operations Reports Review	<u>November 2018 Operations Report:</u> 2,046 new cases were opened in the DefenderData system in November. This was a 401 case decrease from October. The number of submitted vouchers in November was 2,482, a decrease of 425 vouchers from October, totaling \$1,406,374, a decrease of \$77,000 from October. The average price per voucher was \$543.79, up \$11.40 per voucher from October. Appeal and Post-Conviction Review cases had the highest average vouchers. There were 10 vouchers exceeding \$5,000 paid in November. 124 authorizations to expend funds were issued in November, and we paid \$79,769 for experts and investigators, etc. The monthly transfer from the Judicial Branch for counsel fees for November, which reflects October's collections, totaled \$116,115, up approximately \$34,000 from October. Five attorney complaints were received in November.	

Agenda Item	Discussion	Outcome/Action Item/Responsible Party
Fee Schedule Rule Discussion	<p>The Commissioners continued their discussion of potential changes to the fee schedule rule. For appeals, Commissioner Logan agreed with increasing the cap amount, but wanted a requirement that attorneys seek pre-approval to go over the cap amount. Chair Carey suggested a \$3,000 cap for non-murder cases and \$7,500 or as approved by the Executive Director for murder cases. Commissioner Logan suggested a possible distinction between cases that require oral argument and cases that are decided on briefs only (\$2,500 for briefs only and \$3,500 for oral argument). For PCR cases, the Commissioners asked Director Pelletier to revise the data to remove an outlier voucher and provide it before the next meeting. Chair Carey indicated that he will add the agreed upon numbers to his working draft and circulate to the other Commissioners for review and discussion at the next meeting.</p>	
Sixth Amendment Center Study	<p>Director Pelletier gave a brief update on the Sixth Amendment Center study. He noted that the Commission provided additional requested data about experts and investigators. Chair Carey indicated that a member of the Sixth Amendment Center had been in communication with him about the status of the York and Cumberland County site visits. He also provided some names of judges and attorneys for them to speak with during the site visits.</p>	
Franklin County Proposal	<p>Director Pelletier relayed that no proposal summary for a Franklin County contract had been submitted. The Commissioners requested that staff review the travel and mileage data for Franklin County to see whether a contract would be appropriate. Commissioner Logan also asked staff to research whether the Franklin County case numbers roughly match the totals for Somerset County.</p>	
Public Comment	<p><u>Tina Nadeau, Esq.</u>: Attorney Nadeau suggested that appeal cases make up a small percentage of the Commission's budget and that any increase in an appeal cap would not be a budget buster. She noted that for the appeal RFP proposal back in 2017, the proposed amounts included the printing and binding expenses, which are currently</p>	

Agenda Item	Discussion	Outcome/Action Item/Responsible Party
	not included in the voucher cap amount.	
Executive Session	None	
Adjournment of meeting	The Commission voted to adjourn with the next meeting to be on January 15, 2019 at 9:30 a.m.	Chair Carey moved to adjourn. Commissioner Logan seconded. All present in favor.

**(2.)**

## **Operations Reports**

---

---

**MAINE COMMISSION ON INDIGENT LEGAL SERVICES**

---

---

**TO:** MCILS COMMISSIONERS  
**FROM:** JOHN D. PELLETIER, EXECUTIVE DIRECTOR  
**SUBJECT:** DECEMBER 2018 OPERATIONS REPORTS  
**DATE:** JANUARY 8, 2019

---

Attached you will find the December, 2018, Operations Reports for your review and our discussion at the Commission meeting on January 15, 2019. A summary of the operations reports follows:

- 2,008 new cases were opened in the DefenderData system in December. This was a 38 case decrease from November.
- The number of vouchers submitted electronically in December was 2,618, an increase of 136 vouchers over November, totaling \$1,447,461.53, an increase of \$41,000 from November. In December, we paid 3,535 electronic vouchers totaling \$1,902,427.20, representing an increase of 1,633 vouchers and \$868,000 compared to November.
- There were no paper vouchers submitted and paid in December.
- The average price per voucher in December was \$538.17, down \$5.62 per voucher from November.
- Appeal and Post-Conviction Review cases had the highest average vouchers in December. There were 13 vouchers exceeding \$5,000 paid in December. See attached addendum for details.
- The contract amount paid for representation in Somerset County in December was \$22,687.50.
- In December, we issued 113 authorizations to expend funds: 68 for private investigators, 36 for experts, and 9 for miscellaneous services such as interpreters and transcriptionists. In December, we paid \$88,959.91 for experts and investigators, etc. In December, two requests for funds were reduced or modified. See attached addendum for details.
- As discussed at the last meeting, we had received five feedback forms setting forth complaints about four attorneys. We forwarded these forms to the attorneys in December and received responses to each. One attorney responded to concerns from the superintendent of a psychiatric hospital by agreeing to change former practice and proceed as recommended by the hospital in the future. Another attorney's response caused staff to encourage the attorney to be more proactive about visiting incarcerated clients. The other three responses satisfied staff that



no further follow-up was required. We also received two new complaints in December. One came by way of a feedback form describing the attorney's failure to respond to phone messages. The form has been forwarded to the attorney, but no response has yet been received. The other came from an attorney who expressed concern about the performance of counsel for the other parent in a termination hearing. The staff has intervened to ensure that the concerns are addressed by resource counsel.

In our All Other Account, the total expenses for the month of December were \$2,024,450.12. Of that amount, approximately \$10,000 was devoted to the Commission's operating expenses.

In the Personal Services Account, we had \$55,885.11 in expenses for the month of December.

In the Revenue Account, the transfer for December, reflecting November's collections, totaled \$70,129.23, a decrease of approximately \$46,000.00 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 December, we paid expenses related to our November minimum standards training, and collected registration fees for the minimum standards training.

VOUCHERS EXCEEDING \$5,000 PAID DECEMBER 2018

	Voucher Total	Case total
Voucher after a 9 day murder trial. The defendant was found guilty.	\$22,512	\$33,958 (\$11,649 paid to co-counsel from a different firm)
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.	\$22,254	\$42,710 (\$20,456 paid to co-counsel from a different firm)
Voucher after a 9 day murder trial. Defendant was acquitted of Murder, but found guilty of Manslaughter	\$16,649	\$16,649
Voucher after a 9 day murder trial and sentencing. The defendant was found guilty.	\$11,446	\$33,958 (\$22,512 paid to co-counsel from a different firm)
Voucher after a 3 day trial in an Aggravated Assault case that resulted in a hung jury. The case involved medical issues as well as evidence with racial overtones. After trial, the defendant entered into a deferred disposition with dismissal of all charges if the defendant is successful.	\$8,817	\$9,168 ( a voucher totaling \$351 was paid for negotiation and entry into the deferred disposition)
Voucher in a Reckless Conduct with a Firearm case that involved shots fired in houses. Substantial evidence suppressed due to pretrial litigation. Plea just before opening statements to a misdemeanor charge of reckless conduct.	\$8,228	\$8,228
Voucher in a Robbery case arising from a home invasion. The matter involved DNA experts and extensive pre-trial litigation. 20 months into the case, retained counsel entered an appearance.	\$7,013	\$7,013
Interim voucher in a multi-county Burglary/Theft case submitted after the attorney prepared for trial, only to have the trial continued for several months at the last minute.	\$6,889	\$37,867(interim vouchers of \$7,913, \$10,233, and \$12,832 previously paid)
Voucher after a 5 day trial in a Gross Sexual Assault case.	\$6,180	\$12,175 (\$5,995 paid to co-counsel from a different firm)
Voucher after a 5 day trial in a Gross Sexual Assault case.	\$5,995	\$12,175 (\$6,180 paid to co-counsel from a different firm)

Voucher in a Post-Conviction Review case challenging a Robbery conviction. Matter involved a DNA recalculation, as well as a number of other issues. Full litigation of whether some claims were time barred. Ultimately, the client decided to withdraw the petition.	\$5,908	\$5,908
Voucher in appeal from Murder conviction where the defendant was 18 years old at the time of the offense and received a sentence of 65 years. Counsel briefed and argued the evidentiary claims and co-counsel from a different firm briefed and argued claims related to the sentence.	\$5,606	\$11,747 (\$6,141 paid to co-counsel from a different firm who briefed and argued sentencing issues)
Voucher after a 4 day jeopardy hearing in a child protection case. The case involved physical injuries and dueling experts. The court found no jeopardy and dismissed the petition.	\$5,431	\$5,431

#### FUNDS REQUESTS DENIED/MODIFIED DECEMBER 2018

- Two requests for funds were modified to authorize a reduced amount. In one of these cases, the attorney chose to pursue a different type of expert, whose services turned out to be less expensive, based on the recommendation of staff.

**MAINE COMMISSION ON INDIGENT LEGAL SERVICES**

**Activity Report by Case Type**

12/31/2018

DefenderData Case Type	Dec-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	16	22	\$ 32,826.59	28	\$ 39,868.37	\$ 1,423.87	75	116	\$ 176,458.33	\$ 1,521.19
Child Protection Petition	155	406	\$ 251,637.13	548	\$ 335,051.14	\$ 611.41	1,270	2,379	\$ 1,444,838.85	\$ 607.33
Drug Court	1	7	\$ 6,794.00	7	\$ 6,854.00	\$ 979.14	2	32	\$ 31,910.00	\$ 997.19
Emancipation	4	3	\$ 1,025.00	11	\$ 4,765.46	\$ 433.22	49	40	\$ 12,179.31	\$ 304.48
Felony	469	600	\$ 525,612.24	757	\$ 678,273.09	\$ 896.00	3,099	3,292	\$ 2,808,880.04	\$ 853.24
Involuntary Civil Commitment	53	44	\$ 11,260.84	75	\$ 17,238.20	\$ 229.84	494	501	\$ 110,586.57	\$ 220.73
Juvenile	60	71	\$ 36,532.62	105	\$ 47,246.10	\$ 449.96	395	455	\$ 213,932.96	\$ 470.18
Lawyer of the Day - Custody	228	182	\$ 45,750.63	261	\$ 62,383.09	\$ 239.02	1,365	1,273	\$ 311,612.28	\$ 244.79
Lawyer of the Day - Juvenile	22	20	\$ 4,641.68	40	\$ 8,322.36	\$ 208.06	208	200	\$ 40,392.44	\$ 201.96
Lawyer of the Day - Walk-in	133	96	\$ 22,745.38	141	\$ 33,744.60	\$ 239.32	747	645	\$ 154,203.12	\$ 239.07
Misdemeanor	631	770	\$ 296,871.97	1,024	\$ 390,655.05	\$ 381.50	4,522	4,460	\$ 1,772,191.54	\$ 397.35
Petition, Modified Release Treatment	0	14	\$ 9,573.74	15	\$ 9,807.74	\$ 653.85	2	29	\$ 16,483.90	\$ 568.41
Petition, Release or Discharge	0	1	\$ 558.00	1	\$ 558.00	\$ 558.00	1	6	\$ 3,305.44	\$ 550.91
Petition, Termination of Parental Rights	10	47	\$ 38,735.05	65	\$ 52,926.36	\$ 814.25	108	253	\$ 216,757.93	\$ 856.75
Post Conviction Review	8	11	\$ 15,794.52	10	\$ 14,982.67	\$ 1,498.27	56	50	\$ 105,381.92	\$ 2,107.64
Probate	6	1	\$ 210.00	1	\$ 210.00	\$ 210.00	20	7	\$ 7,790.20	\$ 1,112.89
Probation Violation	157	167	\$ 71,176.74	217	\$ 89,280.78	\$ 411.43	1,018	1,044	\$ 404,489.99	\$ 387.44
Represent Witness on 5th Amendment	0	1	\$ 60.00	1	\$ 60.00	\$ 60.00	16	20	\$ 7,565.76	\$ 378.29
Resource Counsel Criminal	0	2	\$ 168.00	5	\$ 492.00	\$ 98.40	11	21	\$ 3,054.00	\$ 145.43
Resource Counsel Juvenile	0	0		0			4	2	\$ 108.00	\$ 54.00
Resource Counsel Protective Custody	1	2	\$ 294.00	2	\$ 78.00	\$ 39.00	7	9	\$ 1,068.00	\$ 118.67
Review of Child Protection Order	53	149	\$ 74,857.40	218	\$ 109,151.03	\$ 500.69	316	940	\$ 481,748.26	\$ 512.50
Revocation of Administrative Release	1	2	\$ 336.00	3	\$ 479.16	\$ 159.72	7	8	\$ 2,175.36	\$ 271.92
DefenderData Sub-Total	2,008	2,618	\$ 1,447,461.53	3,535	\$ 1,902,427.20	\$ 538.17	13,792	15,782	\$ 8,327,114.20	\$ 527.63
Paper Voucher Sub-Total		0		0	\$ -	#DIV/0!		0		#DIV/0!
<b>TOTAL</b>	<b>2,008</b>	<b>2,618</b>	<b>\$1,447,461.53</b>	<b>3,535</b>	<b>\$1,902,427.20</b>	<b>\$ 538.17</b>	<b>13,792</b>	<b>15,782</b>	<b>\$ 8,327,114.20</b>	<b>\$ 527.63</b>

**MAINE COMMISSION ON INDIGENT LEGAL SERVICES**

**FY19 FUND ACCOUNTING**

AS OF 12/31/2018

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		\$ (310,496.00)		\$ 310,496.00		\$ -		\$ -	
Legislative Amendment (revenue & conference)		\$ 198,374.00		\$ 198,374.00		\$ 198,374.00		\$ 198,375.00	
<b>Total Budget Allotments</b>		<b>\$ 4,387,878.00</b>		<b>\$ 4,900,871.00</b>		<b>\$ 4,838,852.00</b>		<b>\$ 5,038,601.00</b>	<b>\$ 19,166,202.00</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	\$ (2,024,450.12)	9	\$ -	12	\$ -	
Encumbrances (Somerset PDP & Justice Works)		\$ (255,467.50)		\$ 84,597.50		\$ -		\$ -	\$ (170,870.00)
Encumbrances (B Taylor, business cards)		\$ (13,000.00)		\$ 8,666.66		\$ -		\$ -	\$ (4,333.34)
Encumbrances (B Taylor)				\$ (52,000.00)		\$ -		\$ -	\$ (52,000.00)
<b>TOTAL REMAINING</b>		<b>\$ 0.17</b>		<b>\$ 0.00</b>		<b>\$ 4,838,852.00</b>		<b>\$ 5,038,601.00</b>	<b>\$ 9,877,453.17</b>

**Q2 Month 6**

**INDIGENT LEGAL SERVICES**

Counsel Payments	\$ (1,902,427.20)
Somerset County	\$ (22,687.50)
Somerset County Discovery	\$ (125.00)
Subpoena Witness Fees	\$ -
Private Investigators	\$ (16,153.74)
Mental Health Expert	\$ (13,225.00)
Transcripts	\$ (20,924.88)
Other Expert	\$ (35,703.30)
Lodging for Trial	\$ -
Process Servers	\$ (481.50)
Interpreters	\$ (2,160.41)
Misc Prof Fees & Serv	\$ (311.08)

**SUB-TOTAL ILS** \$ (2,014,199.61)

**OPERATING EXPENSES**

Training Meals	\$ (228.96)
DefenderData	\$ (5,087.50)
Dues	\$ (160.00)
Mileage/Tolls/Parking	\$ (1,211.14)
Mailing/Postage/Freight	\$ (294.71)
West Publishing Corp	\$ (185.13)
Periodicals	\$ (132.00)
Office Supplies/Equip.	\$ (116.11)
Cellular Phones	\$ -
OIT/TELCO	\$ (2,354.26)
Office Equipment Rental	\$ (106.49)
Printing & Binding	\$ (374.21)
Barbara Taylor monthly fees	\$ -

**SUB-TOTAL OE** \$ (10,250.54)

**TOTAL** \$ (2,024,450.12)

**INDIGENT LEGAL SERVICES**

Q2 Allotment	\$ 4,900,871.00
Q2 Encumbrances for Somerset PDP & Justice Works contracts	\$ 84,597.50
Barbara Taylor Contract	\$ (43,333.34)
Q2 Expenses to date	\$ (4,942,135.16)
Remaining Q2 Allotment	\$ -

**Non-Counsel Indigent Legal Services**

Monthly Total	\$ (88,959.91)
Total Q1	\$ (260,358.16)
Total Q2	\$ (250,267.57)
Total Q3	\$ -
Total Q4	\$ -
Fiscal Year Total	\$ (510,625.73)

**Conference Account Transactions**

Training Facilities	\$ -
Training Meals	\$ 228.96
Printing/Binding	\$ 374.21
Overseers of the Bar CLE fee	\$ -
Collected Registration Fees	\$ (200.00)
Current Month Total	\$ 403.17

MAINE COMMISSION ON INDIGENT LEGAL SERVICES  
FY19 FUND ACCOUNTING  
As of 12/31/18

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	\$ 70,129.23	9	\$ -	12	\$ -	
Returned Checks-stopped payments		\$ -		\$ -		\$ -		\$ -	
<b>TOTAL CASH PLUS REVENUE COLLECTED</b>		\$ 259,169.97		\$ 269,108.89		\$ -		\$ -	\$ 528,278.86
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	\$ (618.00)	9	\$ -	12	\$ -	
<b>REMAINING CASH Year to Date</b>		\$ 255,704.97		\$ 266,727.05		\$ -		\$ -	\$ 522,432.02

<b>Q2 Month 6</b>	
<b>DEFENDER DATA COUNSEL PAYMENTS</b>	
	\$ -
<b>SUB-TOTAL ILS</b>	\$ -
<b>OVERPAYMENT REIMBURSEMENTS</b>	\$ (618.00)
Paper Voucher	\$ -
Somerset County CDs	\$ -
Private Investigators	\$ -
Mental Health Expert	\$ -
Transcripts	\$ -
Other Expert	\$ -
StaCap Expense	\$ -
<b>SUB-TOTAL OE</b>	\$ (618.00)
<b>TOTAL</b>	\$ (618.00)

**MAINE COMMISSION ON INDIGENT LEGAL SERVICES**  
**FY19 FUND ACCOUNTING**  
**AS OF 12/31/2018**

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 \$	(55,885.11)	9 \$	-	12 \$	-	
<b>TOTAL REMAINING</b>	<b>\$</b>	<b>29,943.37</b>	<b>\$</b>	<b>32,926.49</b>	<b>\$</b>	<b>197,084.00</b>	<b>\$</b>	<b>215,289.00</b>	<b>\$ 475,242.86</b>

Q2 Month 6	
Per Diem Payments	\$ (275.00)
Salary	\$ (24,686.44)
Vacation Pay	\$ (1,505.77)
Holiday Pay	\$ (3,312.72)
Sick Pay	\$ (320.99)
Standard Overtime	\$ (127.84)
Health Insurance	\$ (9,287.14)
Dental Insurance	\$ (223.22)
Employer Retiree Health	\$ (3,642.24)
Employer Retirement	\$ (2,068.56)
Employer Group Life	\$ (266.00)
Employer Medicare	\$ (443.13)
Retiree Unfunded Liability	\$ (6,508.24)
July & August Per Diem	\$ -
Perm Part Time Full Ben	\$ (3,217.82)
<b>TOTAL</b>	<b>\$ (55,885.11)</b>



**MAINE COMMISSION ON INDIGENT LEGAL SERVICES**

**Activity Report by Court**

12/31/2018

Dec-18							Fiscal Year 2019			
Court	New Cases	Vouchers Submitted	Submitted Amount	Vouchers Paid	Approved Amount	Average Amount	Cases Opened	Vouchers Paid	Amount Paid	Average Amount
ALFSC	7	5	\$ 2,088.00	5	\$ 3,330.00	\$ 666.00	31	43	\$ 47,197.56	\$ 1,097.62
AUBSC	4	4	\$ 3,716.00	4	\$ 3,716.00	\$ 929.00	14	15	\$ 15,277.84	\$ 1,018.52
AUGDC	18	38	\$ 20,984.12	58	\$ 31,624.70	\$ 545.25	221	341	\$ 174,636.26	\$ 512.13
AUGSC	3	21	\$ 11,483.74	25	\$ 14,148.74	\$ 565.95	49	100	\$ 54,356.82	\$ 543.57
BANDC	49	74	\$ 27,380.83	113	\$ 42,852.03	\$ 379.22	413	583	\$ 198,507.26	\$ 340.49
BANSC	2	1	\$ 66.00	0			4	6	\$ 19,722.50	\$ 3,287.08
BATSC	1	0		0			2	0		
BELDC	8	22	\$ 15,361.80	34	\$ 24,938.21	\$ 733.48	53	148	\$ 115,642.95	\$ 781.37
BELSC	0	0		1	\$ 302.80	\$ 302.80	2	3	\$ 1,236.80	\$ 412.27
BIDDC	59	90	\$ 49,592.47	96	\$ 48,542.26	\$ 505.65	357	471	\$ 240,747.59	\$ 511.14
BRIDC	23	27	\$ 10,948.64	37	\$ 16,192.08	\$ 437.62	80	100	\$ 49,777.70	\$ 497.78
CALDC	1	10	\$ 6,063.68	12	\$ 6,705.68	\$ 558.81	24	52	\$ 32,700.16	\$ 628.85
CARDC	6	20	\$ 10,210.74	17	\$ 8,489.19	\$ 499.36	56	84	\$ 36,963.98	\$ 440.05
CARSC	0	1	\$ 3,012.75	2	\$ 3,318.75	\$ 1,659.38	4	11	\$ 6,654.19	\$ 604.93
DOVDC	2	14	\$ 5,512.86	20	\$ 7,348.86	\$ 367.44	31	80	\$ 26,029.12	\$ 325.36
DOVSC	0	0		0			0	1	\$ 162.00	\$ 162.00
ELLDC	15	31	\$ 23,473.44	31	\$ 23,587.22	\$ 760.88	89	159	\$ 108,680.40	\$ 683.52
ELLSC	0	1	\$ 990.00	1	\$ 990.00	\$ 990.00	3	2	\$ 3,135.00	\$ 1,567.50
FARDC	14	13	\$ 12,448.16	30	\$ 26,958.75	\$ 898.63	77	114	\$ 92,041.99	\$ 807.39
FARSC	0	1	\$ 397.64	1	\$ 397.64	\$ 397.64	1	3	\$ 752.34	\$ 250.78
FORDC	1	16	\$ 8,527.89	20	\$ 10,300.61	\$ 515.03	32	50	\$ 33,346.18	\$ 666.92
HOUDC	12	23	\$ 10,483.08	35	\$ 15,544.68	\$ 444.13	96	139	\$ 63,953.57	\$ 460.10
HOUSC	0	0		0			0	2	\$ 1,867.28	\$ 933.64
LEWDC	47	58	\$ 34,557.72	104	\$ 56,820.76	\$ 546.35	413	597	\$ 286,804.74	\$ 480.41
LINDC	6	20	\$ 6,416.44	26	\$ 8,009.44	\$ 308.06	51	86	\$ 30,888.78	\$ 359.17
MACDC	10	22	\$ 9,295.04	27	\$ 11,209.04	\$ 415.15	62	106	\$ 38,854.04	\$ 366.55
MACSC	0	0		0			1	5	\$ 1,146.00	\$ 229.20
MADDC	1	2	\$ 506.68	4	\$ 1,094.04	\$ 273.51	9	9	\$ 2,771.48	\$ 307.94
MILDC	6	5	\$ 2,016.76	5	\$ 2,016.76	\$ 403.35	29	23	\$ 9,311.76	\$ 404.86
NEWDC	18	21	\$ 10,634.98	33	\$ 14,821.94	\$ 449.15	80	134	\$ 52,438.43	\$ 391.33
PORDC	69	107	\$ 62,605.65	138	\$ 70,088.63	\$ 507.89	467	628	\$ 320,309.97	\$ 510.05
PORSC	2	2	\$ 7,429.28	3	\$ 7,897.28	\$ 2,632.43	9	6	\$ 9,193.28	\$ 1,532.21
PREDC	16	25	\$ 11,112.19	42	\$ 18,571.84	\$ 442.19	94	146	\$ 64,960.61	\$ 444.94
ROCD	21	24	\$ 5,869.65	45	\$ 13,337.27	\$ 296.38	129	183	\$ 89,619.42	\$ 489.72
RODC	1	4	\$ 826.39	4	\$ 826.39	\$ 206.60	9	13	\$ 2,429.66	\$ 186.90
RUMDC	2	5	\$ 1,558.60	16	\$ 9,574.60	\$ 598.41	49	56	\$ 29,124.51	\$ 520.08
SKODC	14	31	\$ 16,637.64	45	\$ 25,331.32	\$ 562.92	145	250	\$ 150,573.04	\$ 602.29
SKOSC	0	0		0			0	1	\$ 486.00	\$ 486.00
SODUC	5	10	\$ 4,965.33	13	\$ 6,345.14	\$ 488.09	39	57	\$ 30,267.93	\$ 531.02
SOUSC	0	0		0			0	6	\$ 8,318.65	\$ 1,386.44
SPRDC	33	57	\$ 37,299.31	88	\$ 57,193.78	\$ 649.93	265	363	\$ 209,892.35	\$ 578.22
Law Ct	11	18	\$ 28,331.19	22	\$ 30,578.97	\$ 1,389.95	58	86	\$ 144,203.42	\$ 1,676.78
YORCD	241	268	\$ 187,119.74	309	\$ 227,196.24	\$ 735.26	1,378	1,361	\$ 960,661.43	\$ 705.85
AROD	115	134	\$ 79,372.14	164	\$ 76,158.16	\$ 464.38	760	676	\$ 348,268.98	\$ 515.19
ANDCD	152	134	\$ 69,116.34	193	\$ 87,236.25	\$ 452.00	935	947	\$ 449,055.47	\$ 474.19
KENCD	148	187	\$ 98,807.69	275	\$ 126,700.08	\$ 460.73	974	1,002	\$ 435,065.32	\$ 434.20
PENCD	176	253	\$ 117,277.53	275	\$ 131,579.06	\$ 478.47	1,344	1,326	\$ 630,626.48	\$ 475.59
SAGCD	22	24	\$ 15,414.99	47	\$ 30,656.48	\$ 652.27	182	195	\$ 128,840.99	\$ 660.72
WALCD	34	42	\$ 22,191.78	48	\$ 30,063.81	\$ 626.33	218	199	\$ 98,542.43	\$ 495.19
PISCD	15	14	\$ 2,580.00	22	\$ 5,394.00	\$ 245.18	87	81	\$ 21,834.63	\$ 269.56
HANCD	46	49	\$ 19,697.56	69	\$ 25,708.80	\$ 372.59	438	443	\$ 228,557.90	\$ 515.93
FRACD	28	36	\$ 19,049.95	61	\$ 28,191.89	\$ 462.16	206	287	\$ 134,088.98	\$ 467.21
WASCD	40	55	\$ 19,971.84	68	\$ 23,842.88	\$ 350.63	280	325	\$ 147,622.40	\$ 454.22
CUMCD	303	348	\$ 181,868.55	460	\$ 280,776.13	\$ 610.38	2,136	2,120	\$ 1,188,228.74	\$ 560.49
KNOCD	66	56	\$ 31,271.63	80	\$ 42,951.59	\$ 536.89	334	308	\$ 156,480.04	\$ 508.05
SOMCD	1	3	\$ 9,550.35	5	\$ 10,125.95	\$ 2,025.19	9	11	\$ 21,764.67	\$ 1,978.61
OXFCD	60	53	\$ 33,425.46	105	\$ 54,307.68	\$ 517.22	393	440	\$ 191,879.71	\$ 436.09
LINCD	23	50	\$ 22,054.52	59	\$ 25,348.31	\$ 429.63	176	230	\$ 112,915.48	\$ 490.94
WATDC	12	50	\$ 29,932.37	76	\$ 33,814.06	\$ 444.92	151	303	\$ 134,712.16	\$ 444.59
WESDC	23	22	\$ 8,007.14	34	\$ 11,747.78	\$ 345.52	138	147	\$ 49,710.86	\$ 338.17
WISDC	6	5	\$ 3,469.48	13	\$ 8,866.39	\$ 682.03	44	61	\$ 44,935.99	\$ 736.66
WISSC	0	1	\$ 7,103.18	1	\$ 7,103.18	\$ 7,103.18	0	3	\$ 8,334.22	\$ 2,778.07
YORDC	10	11	\$ 7,374.60	14	\$ 11,653.08	\$ 832.36	61	55	\$ 30,003.76	\$ 545.52
<b>TOTAL</b>	<b>2,008</b>	<b>2,618</b>	<b>\$ 1,447,461.53</b>	<b>3,535</b>	<b>\$ 1,902,427.20</b>	<b>\$ 538.17</b>	<b>13,792</b>	<b>15,782</b>	<b>\$ 8,327,114.20</b>	<b>\$ 527.63</b>



# MAINE COMMISSION ON INDIGENT LEGAL SERVICES

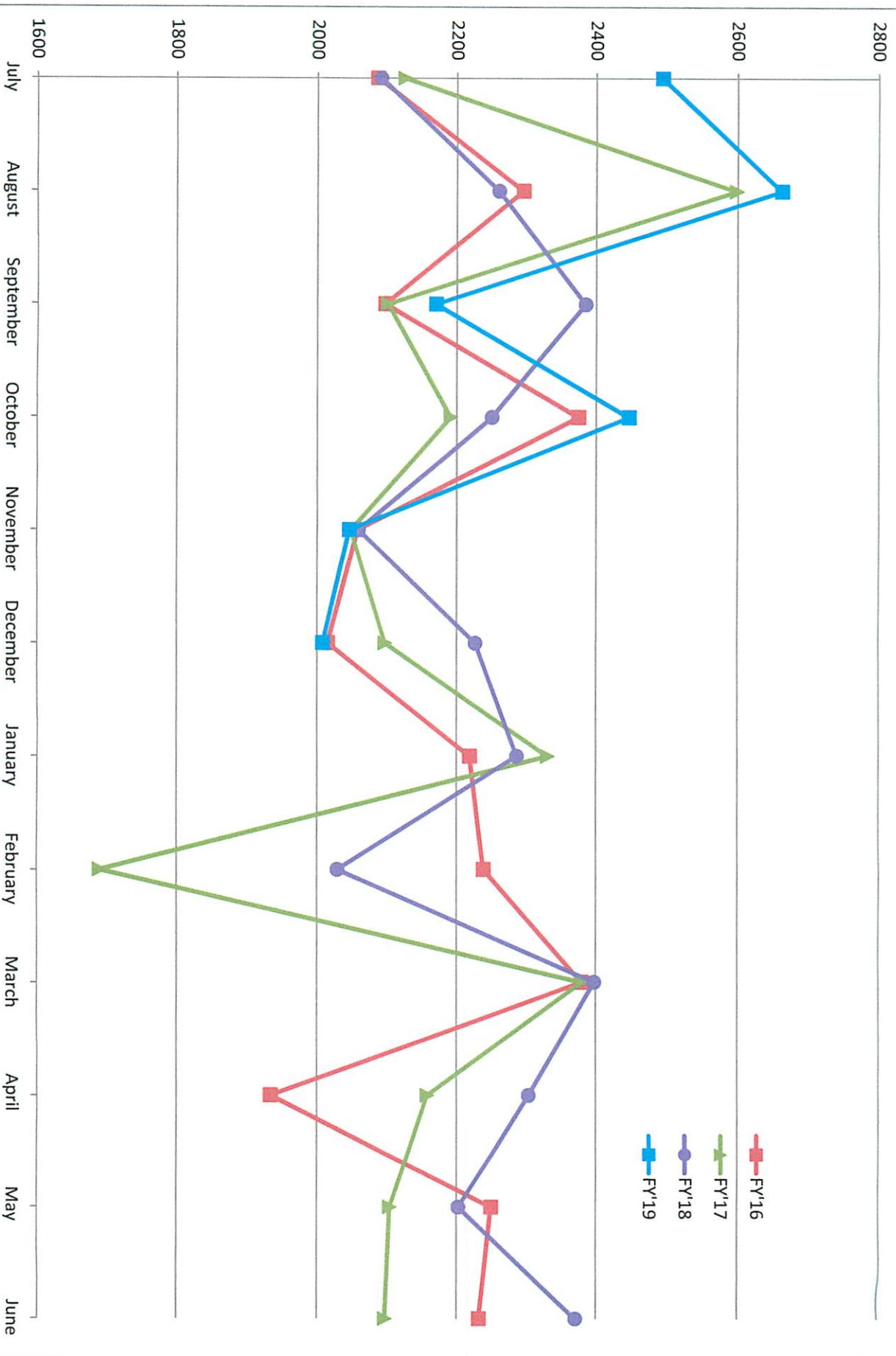
## Number of Attorneys Rostered by Court

12/31/2018

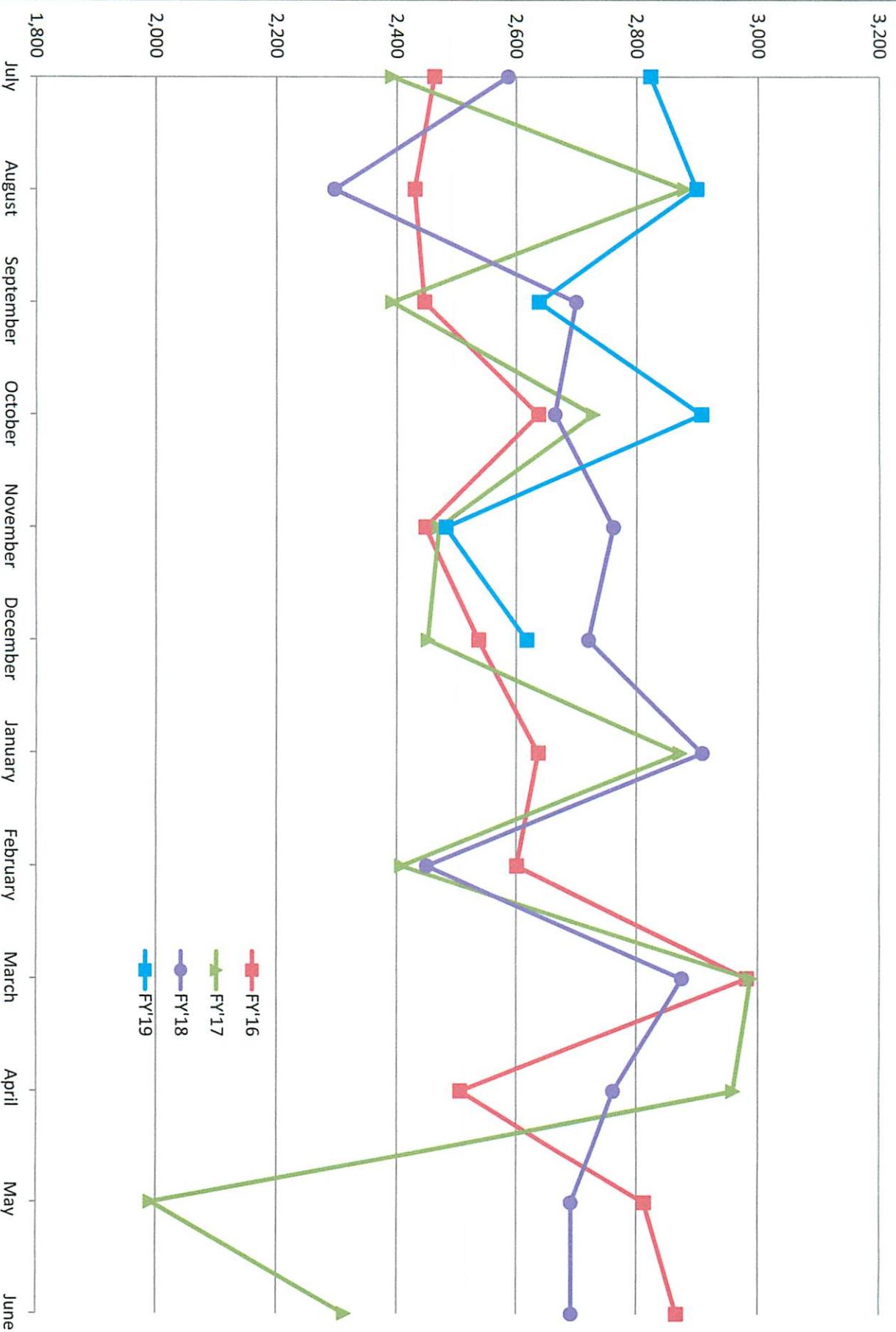
Court	Rostered Attorneys
Augusta District Court	90
Bangor District Court	44
Belfast District Court	44
Biddeford District Court	135
Bridgton District Court	86
Calais District Court	11
Caribou District Court	19
Dover-Foxcroft District Court	24
Ellsworth District Court	34
Farmington District Court	32
Fort Kent District Court	12
Houlton District Court	16
Lewiston District Court	122
Lincoln District Court	22
Machias District Court	16
Madawaska District Court	13
Millinocket District Court	17
Newport District Court	32
Portland District Court	157
Presque Isle District Court	16
Rockland District Court	37
Rumford District Court	24
Skowhegan District Court	24

Court	Rostered Attorneys
South Paris District Court	52
Springvale District Court	118
Unified Criminal Docket Alfred	121
Unified Criminal Docket Aroostook	23
Unified Criminal Docket Auburn	99
Unified Criminal Docket Augusta	84
Unified Criminal Docket Bangor	47
Unified Criminal Docket Bath	88
Unified Criminal Docket Belfast	44
Unified Criminal Docket Dover Foxcroft	22
Unified Criminal Docket Ellsworth	37
Unified Criminal Docket Farmington	35
Unified Criminal Docket Machias	17
Unified Criminal Docket Portland	157
Unified Criminal Docket Rockland	33
Unified Criminal Docket Skowhegan	18
Unified Criminal Docket South Paris	42
Unified Criminal Docket Wiscasset	51
Waterville District Court	45
West Bath District Court	105
Wiscasset District Court	57
York District Court	100

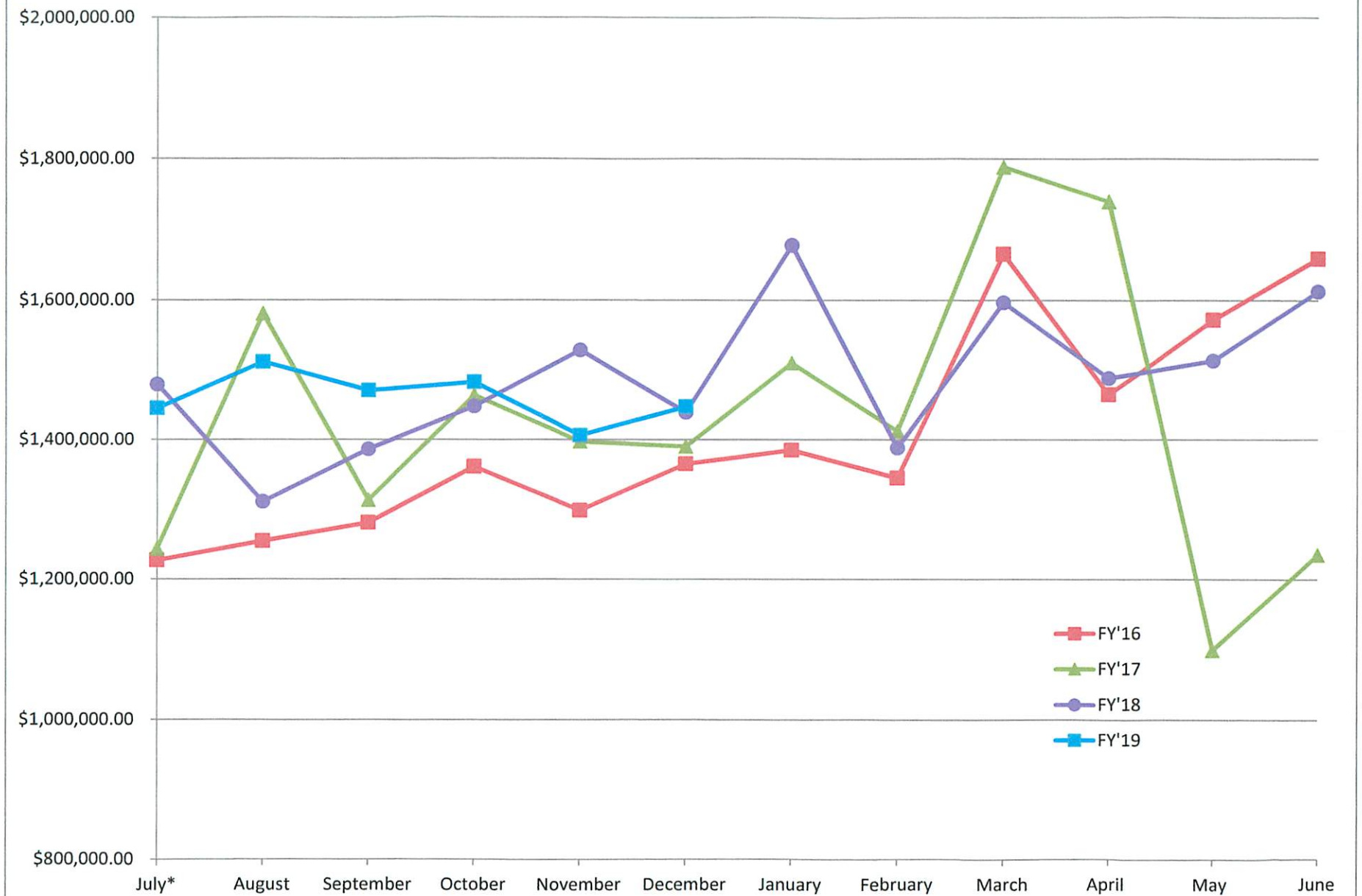
# NEW CASES



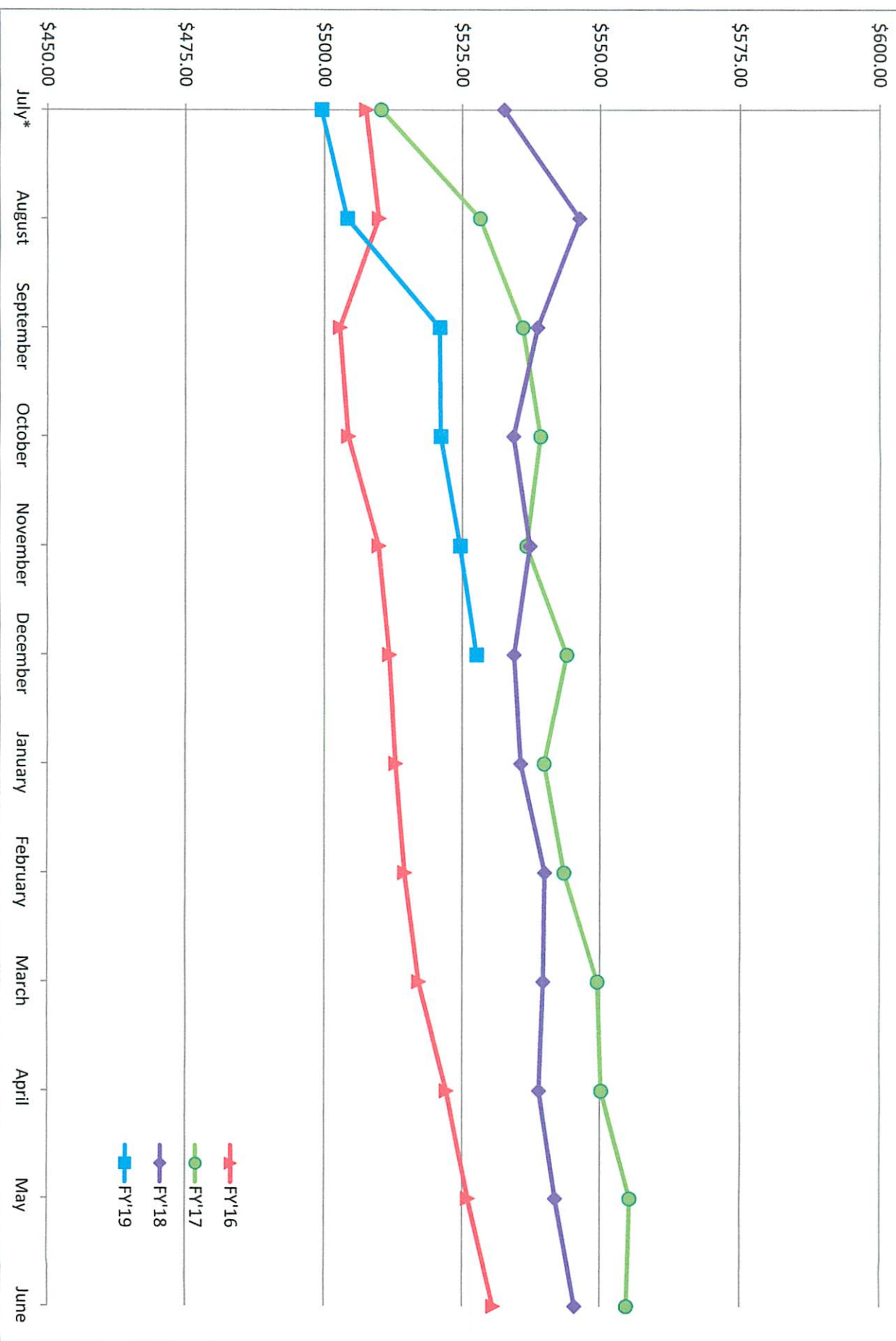
# Submitted Vouchers



## Submitted Voucher Amount

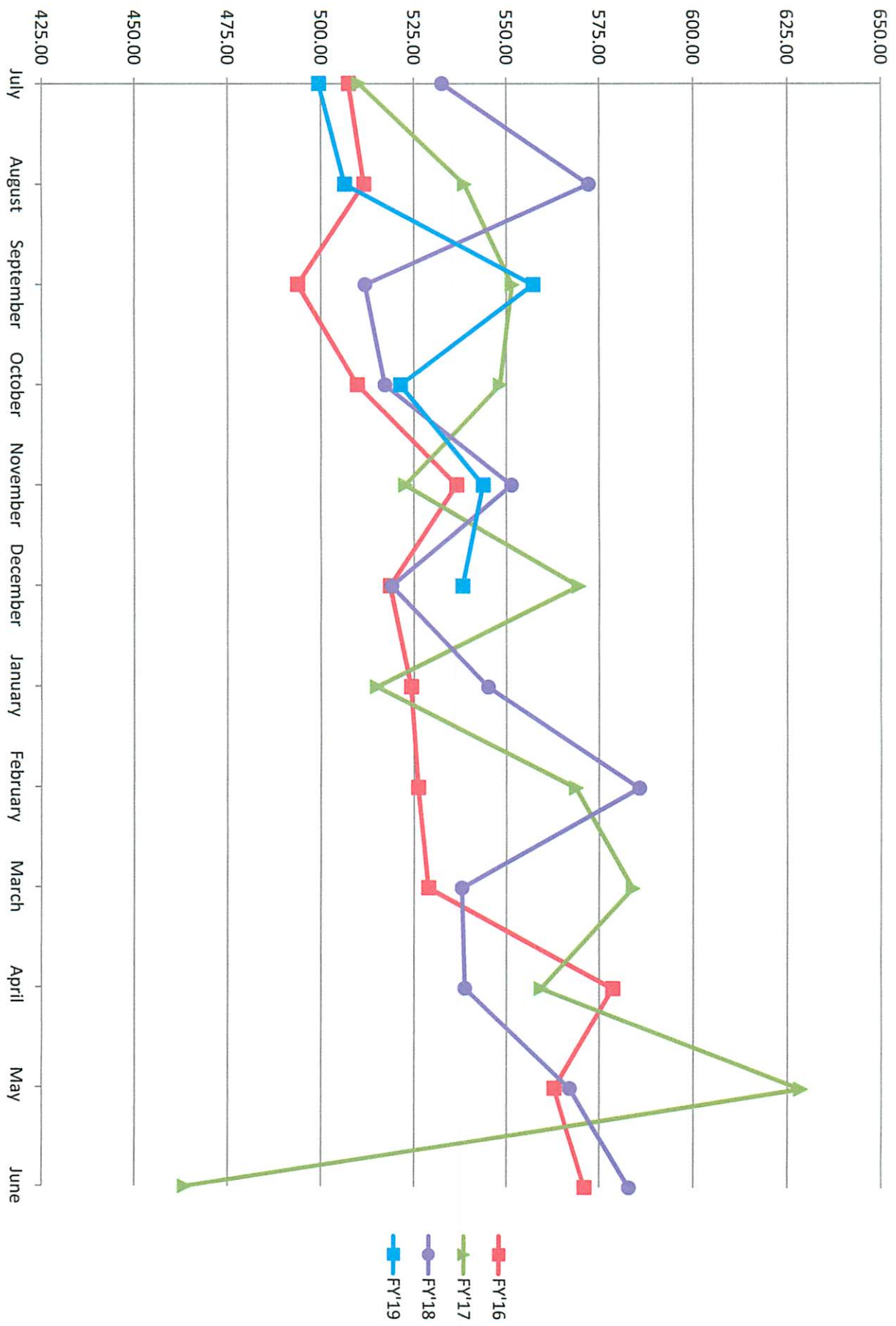


# Average Voucher Price Fiscal Year to Date

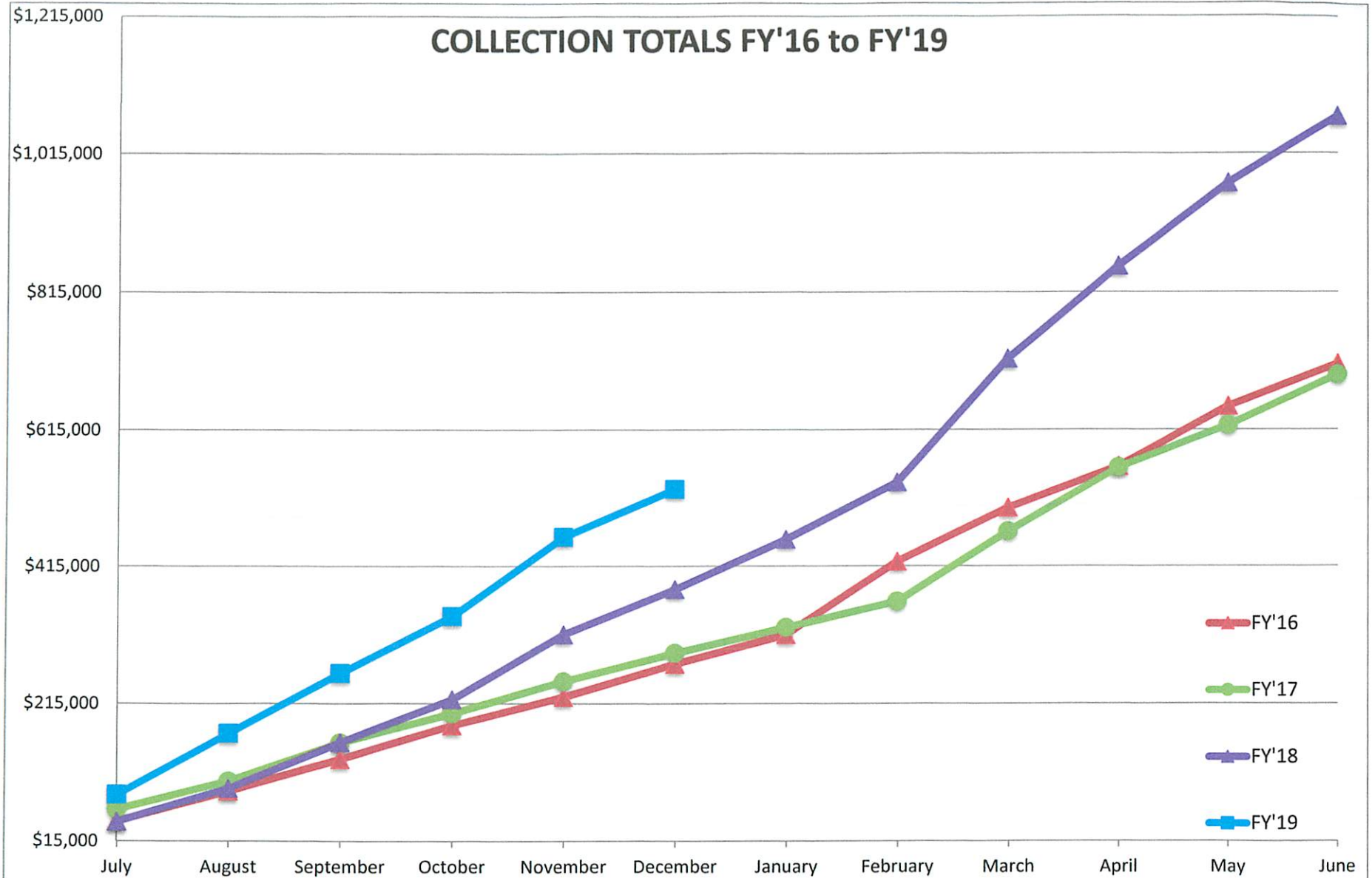




# Monthly Price Per Voucher



## COLLECTION TOTALS FY'16 to FY'19



**(3.)**

# **Fee Schedule Rule Discussion**



---

---

**MAINE COMMISSION ON INDIGENT LEGAL SERVICES**

---

---

**TO:** MCILS COMMISSIONERS  
**FROM:** JOHN D. PELLETIER, EXECUTIVE DIRECTOR  
**CC:** ELLIE MACIAG, DEPUTY EXECUTIVE DIRECTOR  
**SUBJECT:** FEE SCHEDULE RULE  
**DATE:** JANUARY 9, 2019

---

At its last meeting, the Commission reviewed a breakdown of Appeal and PCR vouchers arising exclusively from Murder cases. The Commission requested that the breakdown on PCR vouchers in Murder cases be revised to exclude a very large voucher as an outlier. The requested data is included in a revised voucher analysis document that is attached.

The Commission will continue its discussion of possible revisions to the Fee Schedule rule.

**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)

**Post-Conviction Review Murder Only-Without Outlying Vouchers Cap-\$1,200**

Fiscal Years 2016, 2017, and 2018 Combined

Number of Vouchers Paid	42
Number Exceeding the Cap	34
Percentage Exceeding the Cap	80.95%
95th Percentile Amount	\$ 8,888.46
90th Percentile Amount	\$ 6,230.88
85th Percentile Amount	\$ 5,880.00
80th Percentile Amount	\$ 5,028.00
Median Voucher Amount	\$ 2,600.00
Mean Voucher Amount	\$ 3,309.23

**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**

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

**(4.)**

## **Budget Update**

---

---

**MAINE COMMISSION ON INDIGENT LEGAL SERVICES**

---

---

**TO:** MCILS COMMISSIONERS  
**FROM:** JOHN D. PELLETIER, EXECUTIVE DIRECTOR  
**CC:** ELLIE MACIAG, DEPUTY EXECUTIVE DIRECTOR  
**SUBJECT:** BUDGET UPDATE  
**DATE:** JANUARY 8, 2019

---

Costs for indigent legal services moderated during the second quarter. You may recall that during the first quarter, we fell behind budget projections by \$236,151 due to unexpectedly high costs during August and September. In the second quarter, costs came in below projections, and we were able to reduce the budget shortfall to \$138,567.

In addition, the Governor has approved a financial order providing allotment to expend \$270,000 in collection revenue that we carried forward from FY'18. Finally, counsel fee reimbursements continue to exceed projections and will provide additional resources above those originally projected. Accordingly, the Commission is in a healthy budgetary position half-way through the current fiscal year.

**(5.)**

**Sixth Amendment Center**

---

**MAINE COMMISSION ON INDIGENT LEGAL SERVICES**

---

**TO:** MCILS COMMISSIONERS  
**FROM:** JOHN D. PELLETIER, EXECUTIVE DIRECTOR  
**CC:** ELLIE MACIAG, DEPUTY EXECUTIVE DIRECTOR  
**SUBJECT:** SIXTH AMENDMENT CENTER UPDATE  
**DATE:** JANUARY 9, 2019

---

During December, the staff responded to several questions from the Sixth Amendment Center. The questions included whether the Commission can track the number and type of cases assigned to individual attorneys in a given court over a given time span (we can), how charges are entered in Defenderdata, and how the fee caps are applied to cases with more than one charge and to defendants with more than one case handled concurrently.

**(6.)**

**Franklin County**

---

**MAINE COMMISSION ON INDIGENT LEGAL SERVICES**

---

**TO:** MCILS COMMISSIONERS  
**FROM:** JOHN D. PELLETIER, EXECUTIVE DIRECTOR  
**CC:** ELLIE MACIAG, DEPUTY EXECUTIVE DIRECTOR  
**SUBJECT:** POTENTIAL CONTRACT FOR FRANKLIN COUNTY  
**DATE:** JANUARY 8, 2019

---

At the last meeting, the Commission reviewed data on the cost of criminal representation in Franklin County. The figures indicated rising costs and travel and mileage costs were mentioned as one possible explanation, given the dearth of local attorneys on the Franklin County roster.

Attached is a spreadsheet with travel and mileage costs for Criminal and Juvenile cases in Franklin County for FY'16, FY'17, and FY'18.

Moreover, the impetus for looking at Franklin County costs arose from a group of attorneys inquiring about the possibility of contact for Franklin County. The overall cost data reviewed at the last meeting reflected only criminal case costs. For a better comparison with Somerset County, where the contract covers both criminal and juvenile cases, I have attached a spreadsheet showing costs for both Criminal and Juvenile cases for Franklin County for FY'16, FY'17, and FY'18. Note however, that case numbers for Franklin County average between 10% and 15% higher than in Somerset County.

FY'18				
	Travel # of Vouchers	Amount	Mileage # of Vouchers	Amount
UCD	436	\$ 30,508.00	358	\$ 7,507.93
JUVENILE	26	\$ 1,722.00	20	\$ 377.56
Total	462	\$ 32,230.00	378	\$ 7,885.49
Grand Total Amount		\$ 40,115.49		

FY'17				
	Travel # of Vouchers	Amount	Mileage # of Vouchers	Amount
UCD	187	\$ 12,416.40	396	\$ 7,166.34
JUVENILE	14	\$ 1,326.00	20	\$ 463.76
Total	201	\$ 13,742.40	416	\$ 7,630.10
Grand Total Amount		\$ 21,372.50		

FY'16				
	Travel # of Vouchers	Amount	Mileage # of Vouchers	Amount
UCD	145	\$ 11,568.00	339	\$ 5,613.83
JUVENILE	11	\$ 498.00	16	\$ 227.48
Total	156	\$ 12,066.00	355	\$ 5,841.31
Grand Total Amount		\$ 17,907.31		



Franklin County overall Costs

	FY'18	FY'17	FY'16
Criminal	\$ 312,032.93	\$ 275,874.54	\$ 240,171.23
Juvenile	\$ 9,253.46	\$ 9,154.18	\$ 5,988.44
Total	\$ 321,286.39	\$ 285,028.72	\$ 246,159.67