

**MCILS**

**November 21, 2017  
Commissioner's Meeting  
Packet**

---

---

**MAINE COMMISSION ON INDIGENT LEGAL SERVICES**

---

---

**NOVEMBER 21, 2017**

**COMMISSION MEETING**

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

**AGENDA**

---

- 1) Approval of October 10, 2017 Commission Meeting Minutes
- 2) Operations Reports
- 3) Report Back on Miscellaneous Items
- 4) Action Items Discussion
- 5) Court Access to Paid Voucher Data
- 6) Working Group Update
- 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.)**  
**October 10, 2017**  
**Commission Meeting**  
**Minutes**

**Maine Commission on Indigent Legal Services – Commissioners Meeting  
October 10, 2017**

**Minutes**

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

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

<b>Agenda Item</b>	<b>Discussion</b>	<b>Outcome/Action Item/Responsible Party</b>
Approval of the September 15, 2017 Commission Meeting Minutes	No discussion of meeting minutes.	Commissioner Logan moved for approval, Commissioner Welch seconded. All voted in favor. Approved.
Operations Reports Review	<u>September 2017 Operations Report:</u> 2,385 new cases were opened in the DefenderData system in September. This was a 124 case increase over August. The number of submitted vouchers in September was 2,700, an increase of 404 vouchers over August, totaling \$1,386,289, an increase of \$75,000 over August. In September, the Commission paid 2,225 vouchers totaling \$1,138,941, a decrease of 486 vouchers and \$412,000 from August. Director Pelletier noted that September was a typical month and that costs are running slightly below projections. The average price per voucher was \$511.88, down \$60.41 per voucher over August. Appeal and Post-Conviction Review cases had the highest average vouchers. There were 5 vouchers exceeding \$5,000 paid in September. 126 authorizations to expend funds were issued in September and we paid \$81,600 for experts and investigators, etc. The monthly transfer from the Judicial Branch for counsel fees for September, which reflects August's collections, totaled \$66,433, up approximately \$18,000 from August.	
Report Back on Miscellaneous Items	Director Pelletier provided the Commissioners with information requested at the September meeting, including: (1) data on vouchers paid in homicide cases and what the average voucher amount totals for would be if homicide cases	

Agenda Item	Discussion	Outcome/Action Item/Responsible Party
	<p>were excluded; (2) the number of murder cases commenced in FY'17; (3) the status of the removal of attorneys from the rosters where the court was more than 1 hour's drive from the lawyer's office; (4) LOD roster eligibility for lawyers within an hour of a given court when that court is not the lawyer's home court; and (5) an update on the status of block assignments.</p> <p>Chair Carey indicated that the homicide voucher data was useful, but that it would not be necessary to update the Commissioners on a monthly basis. Commission Logan suggested including it on an annual basis.</p>	
Action Items Discussion	<p>The Commissioners continued their discussion on the geographic limitation on roster eligibility, over-the-cap vouchers, and voucher compliance. Director Pelletier provided data that was requested at the September meeting, including travel and mileage entries on vouchers for all courts statewide in FY'17, and the percentage of vouchers paid in FY'17 that exceeded the fee cap, broken down by court.</p> <p><u>Geographic Limitation</u> After a discussion about the data, the Commissioners agreed that travel and mileage appear to make up a very small percentage of the Commission's budget, roughly 2.5%. Chair Carey suggested that staff continue to remind attorneys about separating out travel time on their vouchers and that travel costs be reexamined in six months once attorney compliance improves.</p> <p><u>Over-the-Cap Vouchers</u> Commissioner Logan expressed concern about the number of appeals being over the cap. Chair Carey suggested that the Commission address both the appeal and juvenile fee caps and decide on a more realistic amount for each. He requested staff make a recommendation at the next meeting about a new cap amount for appeal, post-conviction review, and juvenile cases. A short discussion ensued about implementing a pre-approval process for vouchers</p>	

Agenda Item	Discussion	Outcome/Action Item/Responsible Party
	that exceed the fee cap. No final decision was made.	
Court Access to Paid Voucher Data	The Judicial Branch has requested that the Commission provide voucher information electronically to more efficiently determine bail offset amounts for counsel fees. Currently, court clerks are emailing and phoning Commission staff for this information. Since responding to these inquiries has been time consuming for Commission staff, Director Pelletier met with the voucher software vendor to determine whether court staff could have limited access to paid voucher information by accessing a web app. Director Pelletier noted that the creation of this app would be an additional cost and that he was waiting on the cost proposal from the vendor. The Commissioners were in agreement that this is something that should be pursued.	
Public Comment	<u>Robert J. Ruffner, Esq.</u> : Attorney Ruffner relayed that the Cumberland County online discovery portal was efficient and will eliminate the need to scan documents or upload files to a disc. He suggested that the Commission look at the reasons why attorneys withdraw from cases. For the block assignments being implemented in Androscoggin County, Attorney Ruffner will check to see if there is any push back if an attorney requests a continuance. He again suggested that the Commission hire additional staff. Attorney Ruffner asked about potential changes to defenderData, including a way to link companion cases. He questioned why the Commission was not also looking into attorneys who are chronically way under the fee cap. Attorney Ruffner also urged the Commissions to allow new attorneys to have a second chair for their first jury trial.	
Executive Session	The Commissioners entered into executive session to discuss a personnel matter. Upon emerging from executive session, the Commissioners stated that no votes were taken.	

<b>Agenda Item</b>	<b>Discussion</b>	<b>Outcome/Action Item/Responsible Party</b>
Adjournment of meeting	The Commission voted to adjourn with the next meeting to be on November 21, 2017 at 9:30 a.m.	Commissioner Welch 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:** OCTOBER 2017 OPERATIONS REPORTS  
**DATE:** NOVEMBER 6, 2017

---

Attached you will find the October, 2017, Operations Reports for your review and our discussion at the Commission meeting on November 21, 2017. A summary of the operations reports follows:

- 2,251 new cases were opened in the DefenderData system in October. This was a 134 case decrease from September.
- The number of vouchers submitted electronically in October was 2,665, a decrease of 35 vouchers from September, totaling \$1,448,290.65, an increase of \$62,000 over September. In October, we paid 2,569 electronic vouchers totaling \$1,329,196.43, representing an increase of 344 vouchers and \$190,000 compared to September.
- There was 1 paper voucher submitted and paid in October totaling \$60.00.
- The average price per voucher in October was \$517.22, up \$5.52 per voucher over September.
- Appeal and Post-Conviction Review cases had the highest average vouchers in October. There were 4 vouchers exceeding \$5,000 paid in October. See attached addendum for details.
- The contract amount paid for representation in Somerset County in October was \$22,687.50
- In October, we issued 111 authorizations to expend funds: 67 for private investigators, 33 for experts, and 11 for miscellaneous services such as interpreters and transcriptionists. In October, we paid \$61,373.20 for experts and investigators, etc.
- In October, we received one complaint about assigned counsel. This was a multipage handwritten letter by a person who has had several previous attorneys on this case. I contacted the attorney mentioned in the letter, who was aware of the letter and was withdrawing. I would characterize the letter as the type of client response that attorneys receive occasionally regardless of the quality or attentiveness of their representation.

In our All Other Account, the total expenses for the month of October were \$1,426,660.74. Of that amount, just over \$13,000 was devoted to the Commission's operating expenses.

In the Personal Services Account, we had \$79,098.20 in expenses for the month of October.

In the Revenue Account, the October transfer of collected revenue, reflecting September's collections, totaled \$62,588.05, down \$4,000.00 from the previous month.

In our Conference Account, we collected late registration fees associated with the live Child Protective training on September 25, and registration fees for the October video replays in Bangor and for the November minimum standards training. We paid expenses associated with the Child Protective training and Bangor replays. The account balance stands at \$13,797.18.

# VOUCHERS EXCEEDING \$5,000 PAID OCTOBER 2017

	Voucher Total	Case total
Five-day gross sexual assault trial with potential sentence of "any term of years." Client found guilty. Co-counsel within the same firm submitted a single voucher.	\$12,228	\$12,228
Three-day unlawful sexual contact trial. Expert testimony on DNA evidence. Hung jury.	\$6,210	\$6,210
Petition for Modified Release from confinement after insanity finding. Case extended when hospital changed its position on the petitioner's diagnosis. Conflicting expert testimony. Written closing arguments.	\$5,886	\$5,886
Co-counsel brought on to write closing memo in a complicated murder post-conviction review case that has been pending since 2010.	\$5,880	\$35,945

# MAINE COMMISSION ON INDIGENT LEGAL SERVICES

## Activity Report by Case Type

10/31/2017

DefenderData Case Type	Oct-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	20	27	\$ 41,689.09	23	\$ 34,291.65	\$ 1,490.94	63	107	\$ 167,097.80	\$ 1,561.66
Child Protection Petition	139	318	\$ 206,053.73	271	\$ 164,899.88	\$ 608.49	604	1,556	\$ 990,268.29	\$ 636.42
Drug Court	0	3	\$ 3,414.00	3	\$ 2,087.20	\$ 695.73	3	26	\$ 21,607.20	\$ 831.05
Emancipation	6	10	\$ 3,286.04	12	\$ 3,343.80	\$ 278.65	34	48	\$ 18,516.04	\$ 385.75
Felony	496	575	\$ 488,275.14	557	\$ 459,179.70	\$ 824.38	1,998	2,815	\$ 2,429,527.08	\$ 863.06
Involuntary Civil Commitment	76	40	\$ 10,662.56	57	\$ 12,455.20	\$ 218.51	374	349	\$ 80,723.41	\$ 231.30
Juvenile	83	87	\$ 46,756.93	73	\$ 33,772.39	\$ 462.64	337	384	\$ 166,129.19	\$ 432.63
Lawyer of the Day - Custody	250	251	\$ 64,915.52	233	\$ 57,374.68	\$ 246.24	894	1,140	\$ 270,942.91	\$ 237.67
Lawyer of the Day - Juvenile	52	57	\$ 9,901.48	50	\$ 8,890.48	\$ 177.81	176	232	\$ 43,301.29	\$ 186.64
Lawyer of the Day - Walk-in	106	110	\$ 27,687.82	116	\$ 26,707.78	\$ 230.24	437	576	\$ 133,966.54	\$ 232.58
Misdemeanor	782	809	\$ 328,945.48	804	\$ 310,786.67	\$ 386.55	3,080	3,541	\$ 1,432,399.70	\$ 404.52
Petition, Modified Release Treatment	0	9	\$ 5,225.00	8	\$ 5,328.00	\$ 666.00	2	27	\$ 11,496.15	\$ 425.78
Petition, Release or Discharge	0	1	\$ 5,886.00	1	\$ 5,886.00	\$ 5,886.00	0	6	\$ 8,247.20	\$ 1,374.53
Petition, Termination of Parental Rights	23	50	\$ 42,076.91	49	\$ 38,678.92	\$ 789.37	79	263	\$ 204,610.41	\$ 777.99
Post Conviction Review	7	10	\$ 19,163.37	9	\$ 19,881.09	\$ 2,209.01	24	28	\$ 57,384.64	\$ 2,049.45
Probate	1	2	\$ 1,403.60	1	\$ 369.00	\$ 369.00	12	3	\$ 1,149.00	\$ 383.00
Probation Violation	163	158	\$ 62,518.28	157	\$ 57,627.59	\$ 367.05	673	834	\$ 332,465.78	\$ 398.64
Represent Witness on 5th Amendment	3	2	\$ 1,686.24	2	\$ 1,686.24	\$ 843.12	12	15	\$ 6,368.52	\$ 424.57
Review of Child Protection Order	44	146	\$ 78,743.46	143	\$ 85,950.16	\$ 601.05	164	707	\$ 389,598.61	\$ 551.06
Revocation of Administrative Release	0	0		0			3	8	\$ 2,946.00	\$ 368.25
DefenderData Sub-Total	2,251	2,665	\$ 1,448,290.65	2,569	\$ 1,329,196.43	\$ 517.40	8,969	12,665	\$ 6,768,745.76	\$ 534.44
Paper Voucher Sub-Total	1	1	\$ 60.00	1	\$ 60.00	\$ 60.00	4	4	\$ 1,146.00	\$ 286.50
<b>TOTAL</b>	<b>2,252</b>	<b>2,666</b>	<b>\$1,448,350.65</b>	<b>2,570</b>	<b>\$1,329,256.43</b>	<b>\$ 517.22</b>	<b>8,973</b>	<b>12,669</b>	<b>\$ 6,769,891.76</b>	<b>\$ 534.37</b>

**MAINE COMMISSION ON INDIGENT LEGAL SERVICES**

**FY18 FUND ACCOUNTING**

AS OF 10/31/2017

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	\$ (1,426,660.74)	7	\$ -	10	\$ -	\$ (4,355,385.32)
	2	\$ (1,668,718.69)	5	\$ -	8	\$ -	11	\$ -	\$ (1,668,718.69)
	3	\$ (1,105,704.44)	6	\$ -	9	\$ -	12	\$ -	\$ (1,105,704.44)
Encumbrances (Somerset PDP & Justice Works)		\$ (264,063.50)		\$ 28,627.50		\$ -		\$ -	\$ (235,436.00)
Encumbrances (Barbara Taylor, envelopes)		\$ (13,000.03)		\$ 4,333.33		\$ -		\$ -	\$ (8,666.70)
<b>TOTAL REMAINING</b>		<b>\$ 1,196,149.78</b>		<b>\$ 2,998,301.09</b>		<b>\$ 4,746,575.00</b>		<b>\$ 4,940,227.00</b>	<b>\$ 13,881,252.87</b>

**Q2 Month 4**

**INDIGENT LEGAL SERVICES**

Counsel Payments	\$ (1,329,256.43)
Somerset County	\$ (22,687.50)
Subpoena Witness Fees	\$ -
Private Investigators	\$ (27,832.37)
Mental Health Expert	\$ (4,027.50)
Transcripts	\$ (12,738.64)
Other Expert	\$ (15,240.00)
Lodging & Meals for trial	\$ -
Process Servers	\$ (709.54)
Interpreters	\$ (120.00)
Misc Prof Fees & Serv	\$ (705.15)
<b>SUB-TOTAL ILS</b>	<b>\$ (1,413,317.13)</b>

**OPERATING EXPENSES**

Service Center	\$ (773.75)
DefenderData	\$ (5,940.00)
Risk Management Insurances	\$ -
Mileage/Tolls/Parking	\$ (1,105.85)
Mailing/Postage/Freight	\$ (309.07)
West Publishing Corp	\$ (168.30)
OIT/TELCO charges	\$ -
Office Supplies/Equip.	\$ (211.93)
Cellular Phones	\$ (117.92)
Subscriptions	\$ (120.00)
Office Equipment Rental	\$ (113.46)
VDT reimbursement	\$ (150.00)
Barbara Taylor monthly fees	\$ (4,333.33)
<b>SUB-TOTAL OE</b>	<b>\$ (13,343.61)</b>
<b>TOTAL</b>	<b>\$ (1,426,660.74)</b>

**INDIGENT LEGAL SERVICES**

Q2 Allotment	\$ 4,392,001.00
Q2 Encumbrances for Somerset PDP & Justice Works contracts	\$ 28,627.50
Barbara Taylor Contract, envelopes	\$ 4,333.33
Q2 Expenses to date	\$ (1,426,660.74)
<b>Remaining Q1 Allotment</b>	<b>\$ 2,998,301.09</b>

**Non-Counsel Indigent Legal Services**

Monthly Total	\$ (61,373.20)
Total Q1	\$ (308,598.67)
Total Q2	\$ (61,373.20)
Total Q3	\$ -
Total Q4	\$ -
<b>Fiscal Year Total</b>	<b>\$ (369,971.87)</b>

**MAINE COMMISSION ON INDIGENT LEGAL SERVICES**  
**FY18 FUND ACCOUNTING**  
AS OF 10/31/2017

<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 \$	(79,098.20)	7 \$	-	10 \$	-	
	2 \$	(52,363.61)	5 \$	-	8 \$	-	11 \$	-	
	3 \$	(53,129.90)	6 \$	-	9 \$	-	12 \$	-	
<b>TOTAL REMAINING</b>	<b>\$</b>	<b>37,180.20</b>	<b>\$</b>	<b>137,795.80</b>	<b>\$</b>	<b>191,873.00</b>	<b>\$</b>	<b>184,672.00</b>	<b>\$ 551,521.00</b>

<b>Q2 Month 4</b>	
Per Diem Payments	\$ (165.00)
Salary	\$ (37,277.36)
Vacation Pay	\$ (1,686.70)
Holiday Pay	\$ (1,577.24)
Sick Pay	\$ (1,643.88)
Employee Hlth Svs/Workers Comp	\$ -
Health Insurance	\$ (13,557.50)
Dental Insurance	\$ (334.83)
Employer Retiree Health	\$ (5,028.11)
Employer Retirement	\$ (2,898.72)
Employer Group Life	\$ (418.95)
Employer Medicare	\$ (622.59)
Retiree Unfunded Liability	\$ (9,212.61)
Retro Pymt	\$ -
Perm Part Time Full Ben	\$ (4,674.71)
<b>TOTAL</b>	<b>\$ (79,098.20)</b>

MAINE COMMISSION ON INDIGENT LEGAL SERVICES  
FY18 FUND ACCOUNTING  
As of 10/31/17

Account 014 95F Z112 01 (Revenue)	Mo.	Q1	Mo.	Q2	Mo.	Q3	Mo.	Q4	FY18 Total
Total Budget Allotments		\$ 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	\$ -	\$ -
Total Budget Allotments		\$ 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	\$ 62,588.04	7	\$ -	10	\$ -	
Promissory Note Payments		\$ -		\$ -		\$ -		\$ -	
Collected Revenue from JB	2	\$ 48,375.11	5	\$ -	8	\$ -	11	\$ -	
Court Ordered Counsel Fee		\$ -		\$ -		\$ -		\$ -	
Collected Revenue from JB (late transfer)		\$ -		\$ -	9	\$ -		\$ -	
Collected Revenue from JB	3	\$ 66,433.82	6	\$ -	9	\$ -	12	\$ -	
Returned Checks-stopped payments		\$ -		\$ -		\$ -		\$ -	
TOTAL CASH PLUS REVENUE COLLECTED		\$ 161,480.25		\$ 62,588.04		\$ -		\$ -	\$ 224,068.29
Counsel Payments	1	\$ -	4	\$ -	7	\$ -	10	\$ -	
Other Expenses		\$ -		\$ -		\$ -	***	\$ -	
Counsel Payments	2	\$ -	5	\$ -	8	\$ -	11	\$ -	
Other Expenses		\$ -		\$ -		\$ -		\$ -	
Counsel Payments	3	\$ (158,738.00)	6	\$ -	9	\$ -	12	\$ -	
Other Expenses	**	\$ (2,247.73)		\$ -		\$ -		\$ -	
REMAINING ALLOTMENT		\$ 23,139.27		\$ 184,124.00		\$ 184,124.00		\$ 184,124.00	\$ 575,511.27
Overpayment Reimbursements	1	\$ -	4	\$ (1,069.14)	7	\$ -	10	\$ -	
	2	\$ (183.00)	5	\$ -	8	\$ -	11	\$ -	
	3	\$ (303.50)	6	\$ -	9	\$ -	12	\$ -	
REMAINING CASH Year to Date		\$ 8.02		\$ 61,518.90		\$ -		\$ -	\$ 61,526.92

Q2 Month 4	
DEFENDER DATA COUNSEL PAYMENTS	
	\$ -
SUB-TOTAL ILS	\$ -
OVERPAYMENT REIMBURSEMENTS	
Paper Voucher	\$ (1,069.14)
Somerset County CDs	\$ -
Private Investigators	\$ -
Mental Health Expert	\$ -
Transcripts	\$ -
Other Expert	\$ -
StaCap Expense	\$ (2,247.73)
SUB-TOTAL OE	\$ (3,316.87)
TOTAL	\$ (3,316.87)

\*\* Q1 State Cap posted in Q2

MAINE COMMISSION ON INDIGENT LEGAL SERVICES  
FY18 FUND ACCOUNTING  
As of 10/31/17

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		\$ 12,967.13		\$ -		\$ -	
Collected Revenue	1	\$ -	4	\$ 4,330.00	7	\$ -	10	\$ -	
Non-attendance Reimbursements			4	\$ (575.00)		\$ -		\$ -	
Collected Revenue	2	\$ 4,250.00	5	\$ -	8	\$ -	11	\$ -	
Collected Revenue	3	\$ 1,890.00	6	\$ -	9	\$ -	12	\$ -	
TOTAL CASH PLUS REVENUE COLLECTED		\$ 21,082.80		\$ 16,722.13		\$ -		\$ -	\$ 9,895.00
Total Expenses	1	\$ (1,559.99)	4	\$ (2,924.95)	7	\$ -	10	\$ -	
	2	\$ (112.28)	5	\$ -	8	\$ -	11	\$ -	
	3	\$ (6,353.73)	6	\$ -	9	\$ -	12	\$ -	
State Cap	**	\$ (89.67)		\$ -		\$ -		\$ -	\$ (89.67)
Encumbrances		\$ (4,272.55)		\$ -		\$ -		\$ -	\$ (4,272.55)
REMAINING ALLOTMENT		\$ 8,111.78		\$ 12,075.05		\$ 15,000.00		\$ 12,000.00	\$ 47,186.83
REMAINING CASH Year to Date		\$ 12,967.13		\$ 13,797.18		\$ -		\$ -	

Q2 Month 4	
Training Manuals Printing	\$ -
Training Refreshments/Meals	\$ (2,924.95)
Media Northeast	\$ -
Overseers of the Bar CLE fees	\$ -
Speaker Fees & Travel Expenses	\$ -
Non-attendance refunds	\$ (575.00)
State Cap Expense	\$ (89.67)
<b>TOTAL</b>	<b>\$ (2,924.95)</b>

\*\* Q1 State Cap posted in Q2



**MAINE COMMISSION ON INDIGENT LEGAL SERVICES**

**Activity Report by Court**

10/31/2017

Oct-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	21	30	\$ 13,675.68	22	\$ 13,833.80	\$ 628.81	50	121	\$ 97,712.34	\$ 807.54
AUBSC	8	7	\$ 6,919.76	6	\$ 4,445.24	\$ 740.87	39	69	\$ 79,878.88	\$ 1,157.66
AUGDC	35	44	\$ 22,240.12	40	\$ 24,664.48	\$ 616.61	174	298	\$ 140,348.23	\$ 470.97
AUGSC	12	30	\$ 38,052.72	20	\$ 24,990.51	\$ 1,249.53	71	166	\$ 91,846.52	\$ 553.29
BANDC	60	62	\$ 21,253.32	74	\$ 27,469.28	\$ 371.21	225	447	\$ 164,571.75	\$ 368.17
BANSC	1	1	\$ 1,360.00	1	\$ 1,360.00	\$ 1,360.00	7	9	\$ 4,821.06	\$ 535.67
BATSC	1	0		0			4	5	\$ 1,570.00	\$ 314.00
BELDC	14	29	\$ 19,486.37	24	\$ 11,523.51	\$ 480.15	43	104	\$ 55,128.35	\$ 530.08
BELSC	1	5	\$ 5,556.16	3	\$ 4,264.00	\$ 1,421.33	1	9	\$ 8,682.08	\$ 964.68
BIDDC	56	65	\$ 41,780.01	57	\$ 31,425.30	\$ 551.32	221	374	\$ 194,423.70	\$ 519.85
BRIDC	10	22	\$ 13,973.32	11	\$ 5,142.28	\$ 467.48	52	81	\$ 44,333.98	\$ 547.33
CALDC	12	16	\$ 5,166.64	8	\$ 2,722.48	\$ 340.31	35	47	\$ 25,443.60	\$ 541.35
CARDC	0	16	\$ 7,106.18	17	\$ 7,933.52	\$ 466.68	19	69	\$ 34,138.93	\$ 494.77
CARSC	5	7	\$ 6,040.55	9	\$ 6,317.31	\$ 701.92	24	59	\$ 52,845.13	\$ 895.68
DOVDC	5	8	\$ 1,908.00	12	\$ 3,516.00	\$ 293.00	27	48	\$ 13,974.00	\$ 291.13
DOVSC	0	0		0			0	2	\$ 324.00	\$ 162.00
ELLDC	25	44	\$ 30,730.00	29	\$ 23,642.00	\$ 815.24	67	116	\$ 69,407.00	\$ 598.34
ELLSC	0	1	\$ 318.00	1	\$ 318.00	\$ 318.00	3	9	\$ 1,854.00	\$ 206.00
FARDC	7	9	\$ 5,089.48	9	\$ 3,835.92	\$ 426.21	43	62	\$ 34,034.25	\$ 548.94
FARSC	0	0		0			3	3	\$ 1,739.28	\$ 579.76
FORDC	1	4	\$ 2,807.68	3	\$ 1,998.00	\$ 666.00	9	21	\$ 10,474.95	\$ 498.81
HOUDC	14	30	\$ 12,888.37	36	\$ 13,053.49	\$ 362.60	90	143	\$ 59,450.34	\$ 415.74
HOUSC	0	2	\$ 952.00	2	\$ 952.00	\$ 476.00	3	6	\$ 3,376.20	\$ 562.70
LEWDC	50	78	\$ 40,454.56	83	\$ 37,395.00	\$ 450.54	251	484	\$ 202,072.30	\$ 417.50
LINDC	14	11	\$ 3,232.28	9	\$ 2,611.28	\$ 290.14	42	63	\$ 27,810.48	\$ 441.44
MACDC	10	13	\$ 6,798.64	8	\$ 3,657.64	\$ 457.21	49	71	\$ 36,584.74	\$ 515.28
MACSC	1	3	\$ 6,563.48	2	\$ 2,586.00	\$ 1,293.00	6	7	\$ 9,004.80	\$ 1,286.40
MADDC	1	2	\$ 827.36	1	\$ 311.36	\$ 311.36	7	7	\$ 1,838.80	\$ 262.69
MILDC	1	3	\$ 1,386.00	2	\$ 252.00	\$ 126.00	8	5	\$ 1,616.48	\$ 323.30
NEWDC	11	24	\$ 8,799.32	18	\$ 7,590.64	\$ 421.70	47	113	\$ 41,833.18	\$ 370.21
PORDC	72	133	\$ 70,668.46	127	\$ 60,355.32	\$ 475.24	347	524	\$ 268,887.05	\$ 513.14
PORSC	1	2	\$ 360.00	1	\$ 786.00	\$ 786.00	3	9	\$ 13,737.84	\$ 1,526.43
PREDC	14	32	\$ 13,846.83	46	\$ 27,094.79	\$ 589.02	55	174	\$ 102,085.18	\$ 586.70
RODC	10	25	\$ 14,689.88	22	\$ 8,503.47	\$ 386.52	69	114	\$ 50,879.46	\$ 446.31
ROCSC	3	0		1	\$ 310.16	\$ 310.16	7	11	\$ 11,867.26	\$ 1,078.84
RUMDC	6	11	\$ 4,116.00	8	\$ 3,276.00	\$ 409.50	34	58	\$ 32,472.37	\$ 559.87
SKODC	15	31	\$ 18,555.20	29	\$ 12,949.28	\$ 446.53	58	234	\$ 136,056.78	\$ 581.44
SKOSC	0	0		0			0	0		
SOUDC	4	9	\$ 5,799.00	11	\$ 7,143.00	\$ 649.36	21	44	\$ 25,783.79	\$ 586.00
SOUSC	1	7	\$ 4,404.98	6	\$ 2,861.00	\$ 476.83	15	28	\$ 19,411.79	\$ 693.28
SPRDC	66	85	\$ 46,775.48	70	\$ 37,205.92	\$ 531.51	191	312	\$ 173,895.22	\$ 557.36
Law Ct	15	19	\$ 30,903.64	16	\$ 22,467.58	\$ 1,404.22	47	73	\$ 126,403.17	\$ 1,731.55
YORCD	210	228	\$ 139,206.93	210	\$ 138,312.19	\$ 658.63	744	1,020	\$ 713,188.03	\$ 699.20
AROCD	129	96	\$ 48,285.86	106	\$ 48,760.17	\$ 460.00	446	479	\$ 260,018.75	\$ 542.84
ANDCD	118	157	\$ 79,903.73	133	\$ 61,779.81	\$ 464.51	540	586	\$ 305,856.28	\$ 521.94
KENCD	137	164	\$ 67,030.17	138	\$ 63,316.81	\$ 458.82	562	774	\$ 388,078.41	\$ 501.39
PENCD	266	245	\$ 113,454.51	260	\$ 122,926.44	\$ 472.79	957	1,192	\$ 547,699.31	\$ 459.48
SAGCD	24	20	\$ 16,710.54	29	\$ 19,329.00	\$ 666.52	138	141	\$ 75,696.48	\$ 536.85
WALCD	28	42	\$ 13,627.92	41	\$ 13,956.78	\$ 340.41	121	167	\$ 66,453.78	\$ 397.93
PISCD	13	11	\$ 1,554.00	7	\$ 1,104.00	\$ 157.71	61	77	\$ 17,946.58	\$ 233.07
HANCD	52	111	\$ 68,534.09	105	\$ 67,423.25	\$ 642.13	238	302	\$ 151,435.40	\$ 501.44
FRACD	52	55	\$ 19,130.01	37	\$ 11,346.46	\$ 306.66	194	203	\$ 97,738.74	\$ 481.47
WASCD	55	48	\$ 27,911.08	64	\$ 28,439.28	\$ 444.36	196	211	\$ 91,757.24	\$ 434.87
CUMCD	358	337	\$ 210,475.78	357	\$ 197,154.17	\$ 552.25	1,423	1,622	\$ 901,699.91	\$ 555.92
KNOCD	37	44	\$ 21,506.00	56	\$ 31,447.22	\$ 561.56	195	291	\$ 168,967.38	\$ 580.64
SOMCD	2	3	\$ 3,664.80	1	\$ 234.00	\$ 234.00	3	2	\$ 294.00	\$ 147.00
OXFCD	72	70	\$ 32,500.44	76	\$ 31,784.18	\$ 418.21	272	326	\$ 153,415.38	\$ 470.60
LINCD	37	31	\$ 13,886.06	29	\$ 11,078.08	\$ 382.00	148	206	\$ 113,518.41	\$ 551.06
WATDC	32	28	\$ 11,227.91	26	\$ 8,848.56	\$ 340.33	95	212	\$ 113,542.26	\$ 535.58
WESDC	22	25	\$ 11,393.00	25	\$ 13,157.00	\$ 526.28	96	130	\$ 59,232.62	\$ 455.64
WISDC	8	7	\$ 6,217.47	10	\$ 4,429.47	\$ 442.95	36	55	\$ 36,434.59	\$ 662.45
WISSC	1	1	\$ 1,036.00	0			2	9	\$ 6,444.12	\$ 716.01
YORDC	15	22	\$ 5,548.88	15	\$ 3,606.00	\$ 240.40	35	61	\$ 26,708.83	\$ 437.85
<b>TOTAL</b>	<b>2,251</b>	<b>2,665</b>	<b>\$ 1,448,290.65</b>	<b>2,569</b>	<b>\$ 1,329,196.43</b>	<b>\$ 517.40</b>	<b>8,969</b>	<b>12,665</b>	<b>\$ 6,768,745.76</b>	<b>\$ 534.44</b>

# MAINE COMMISSION ON INDIGENT LEGAL SERVICES

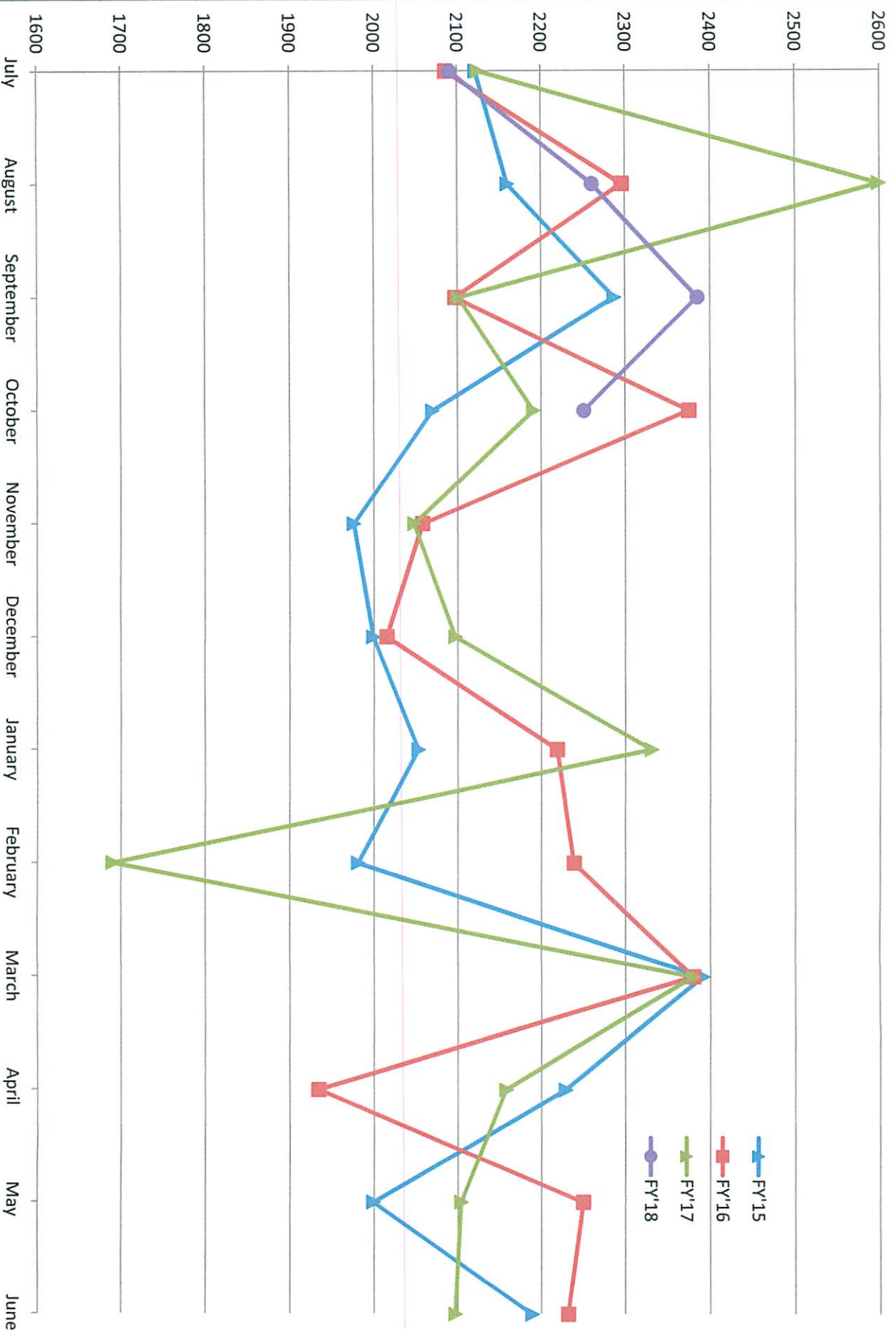
## Number of Attorneys Rostered by Court

10/31/2017

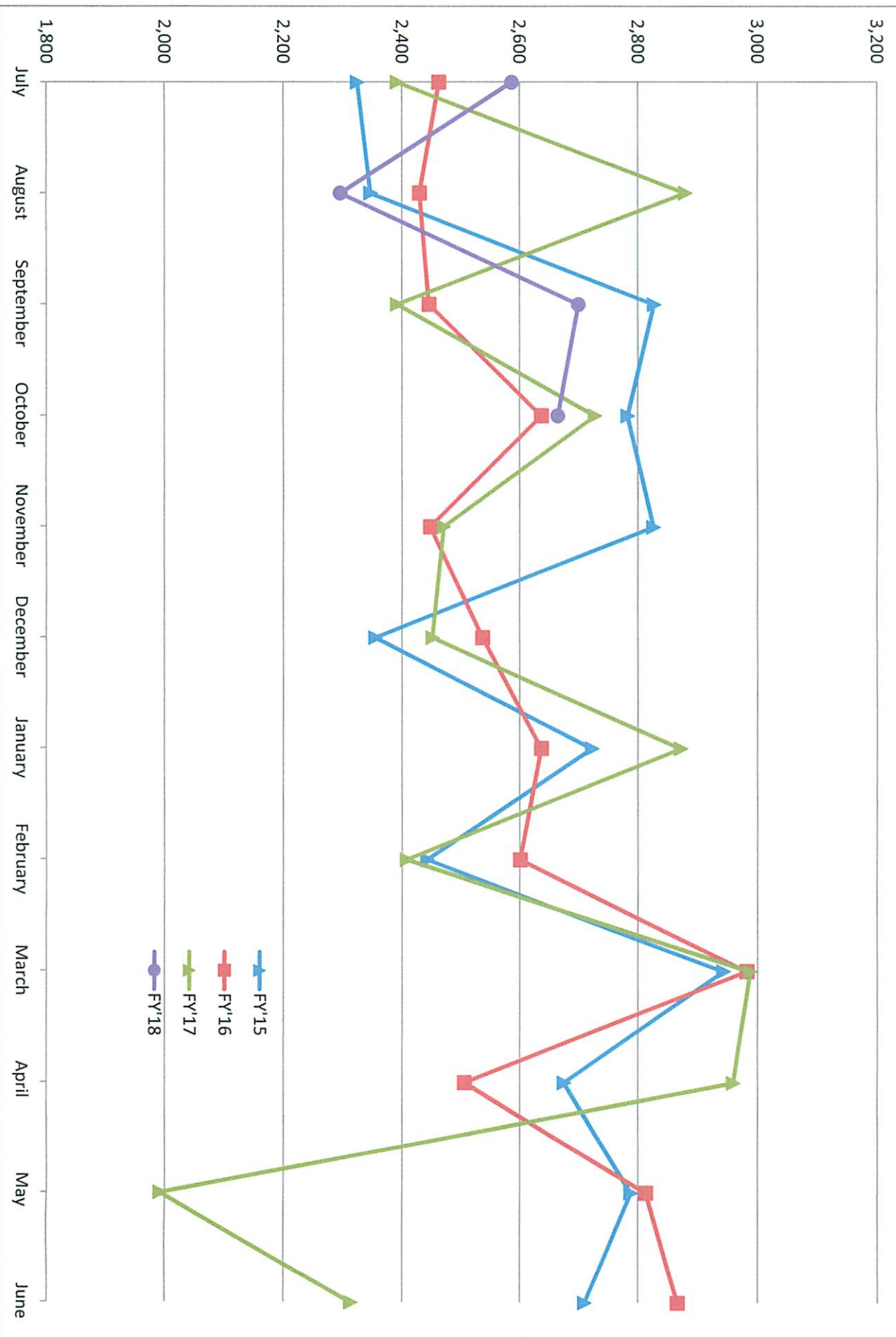
Court	Rostered Attorneys
Augusta District Court	95
Bangor District Court	46
Belfast District Court	48
Biddeford District Court	132
Bridgton District Court	87
Calais District Court	11
Caribou District Court	17
Dover-Foxcroft District Court	25
Ellsworth District Court	39
Farmington District Court	31
Fort Kent District Court	9
Houlton District Court	13
Lewiston District Court	122
Lincoln District Court	27
Machias District Court	16
Madawaska District Court	10
Millinocket District Court	20
Newport District Court	34
Portland District Court	152
Presque Isle District Court	14
Rockland District Court	38
Rumford District Court	23
Skowhegan District Court	25

Court	Rostered Attorneys
South Paris District Court	52
Springvale District Court	118
Unified Criminal Docket Alfred	112
Unified Criminal Docket Aroostook	22
Unified Criminal Docket Auburn	99
Unified Criminal Docket Augusta	87
Unified Criminal Docket Bangor	49
Unified Criminal Docket Bath	88
Unified Criminal Docket Belfast	46
Unified Criminal Docket Dover Foxcroft	22
Unified Criminal Docket Ellsworth	41
Unified Criminal Docket Farmington	33
Unified Criminal Docket Machias	17
Unified Criminal Docket Portland	147
Unified Criminal Docket Rockland	35
Unified Criminal Docket Skowhegan	19
Unified Criminal Docket South Paris	78
Unified Criminal Docket Wiscasset	54
Waterville District Court	49
West Bath District Court	106
Wiscasset District Court	59
York District Court	103

# NEW CASES

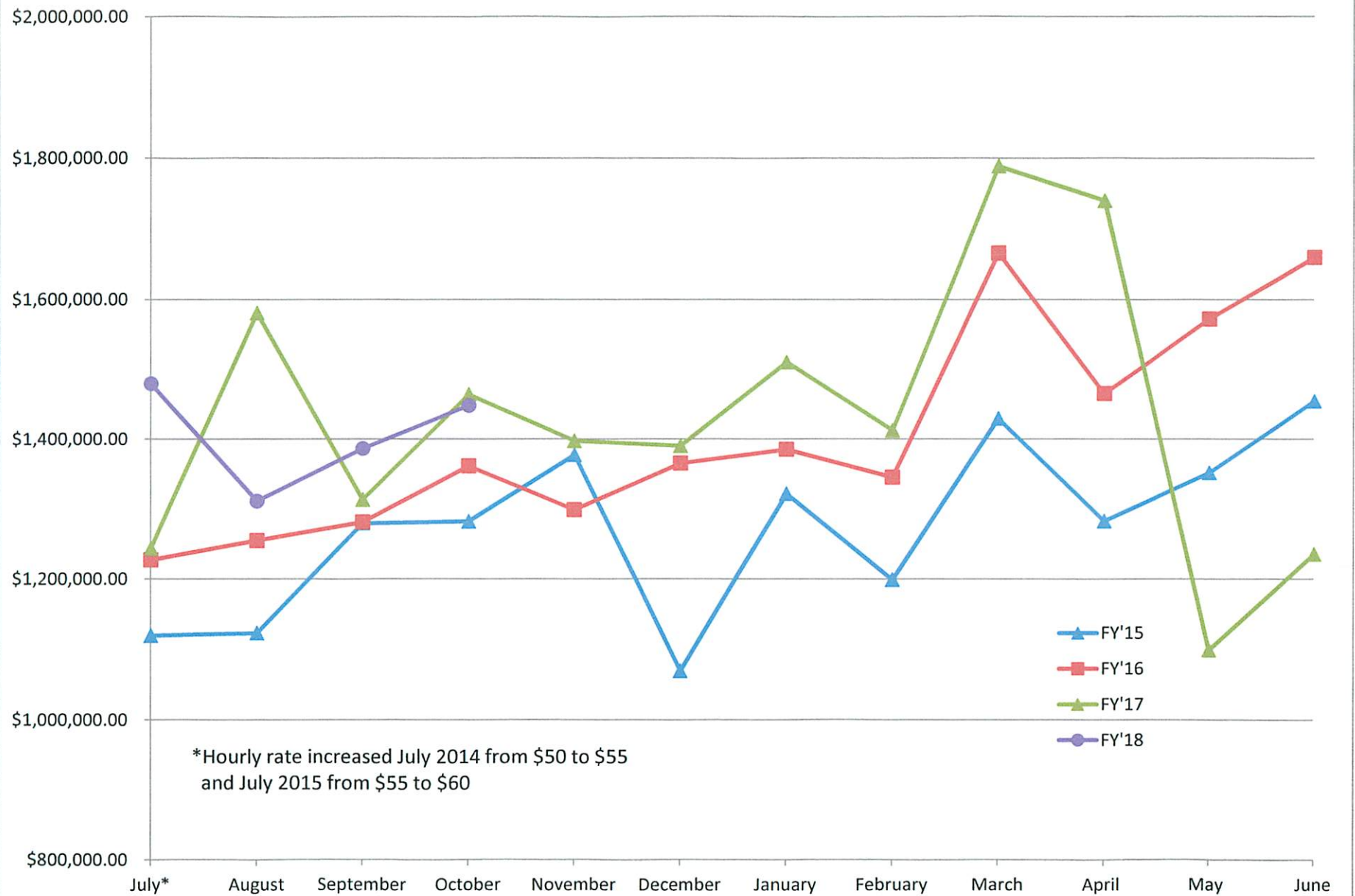


## Submitted Vouchers

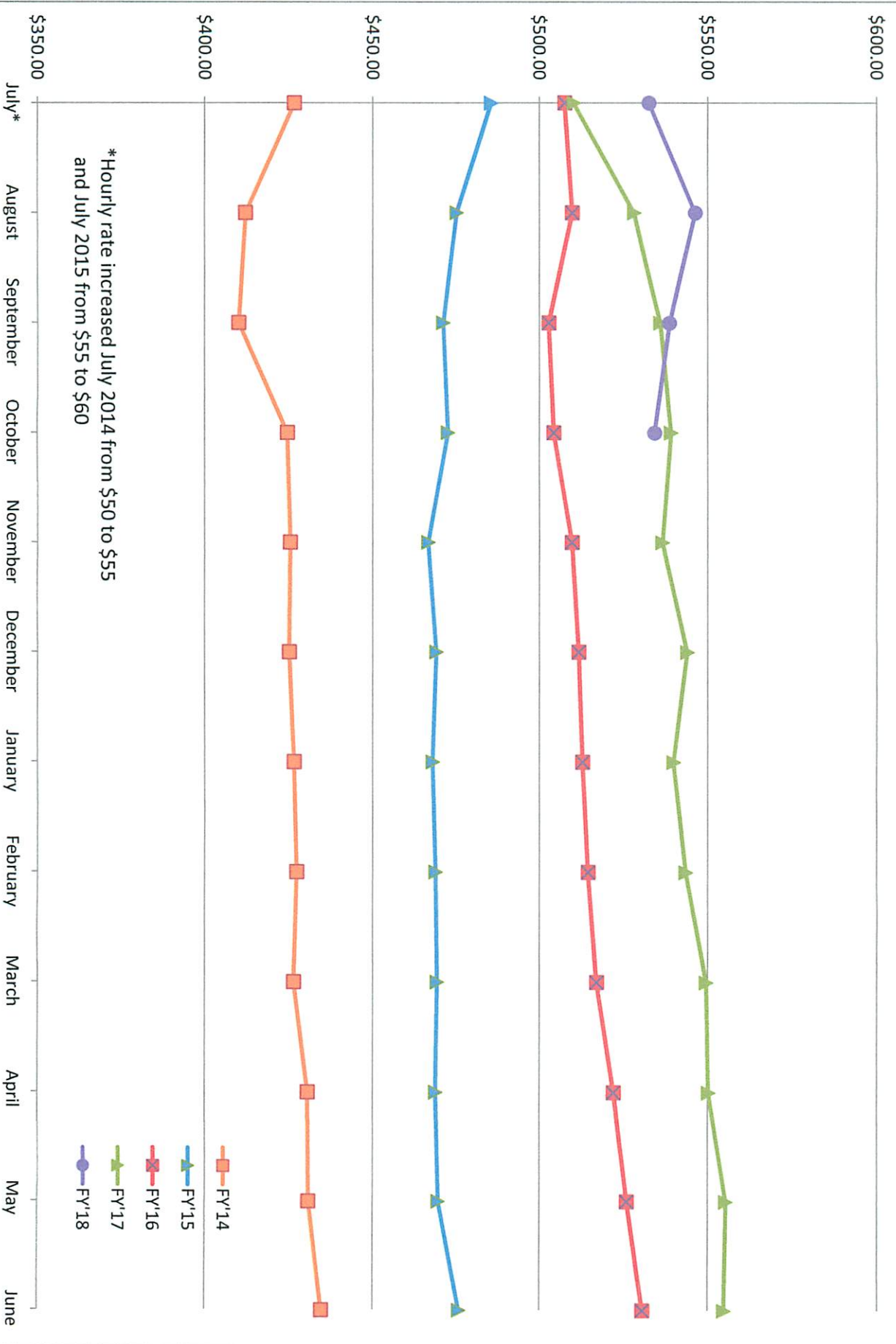




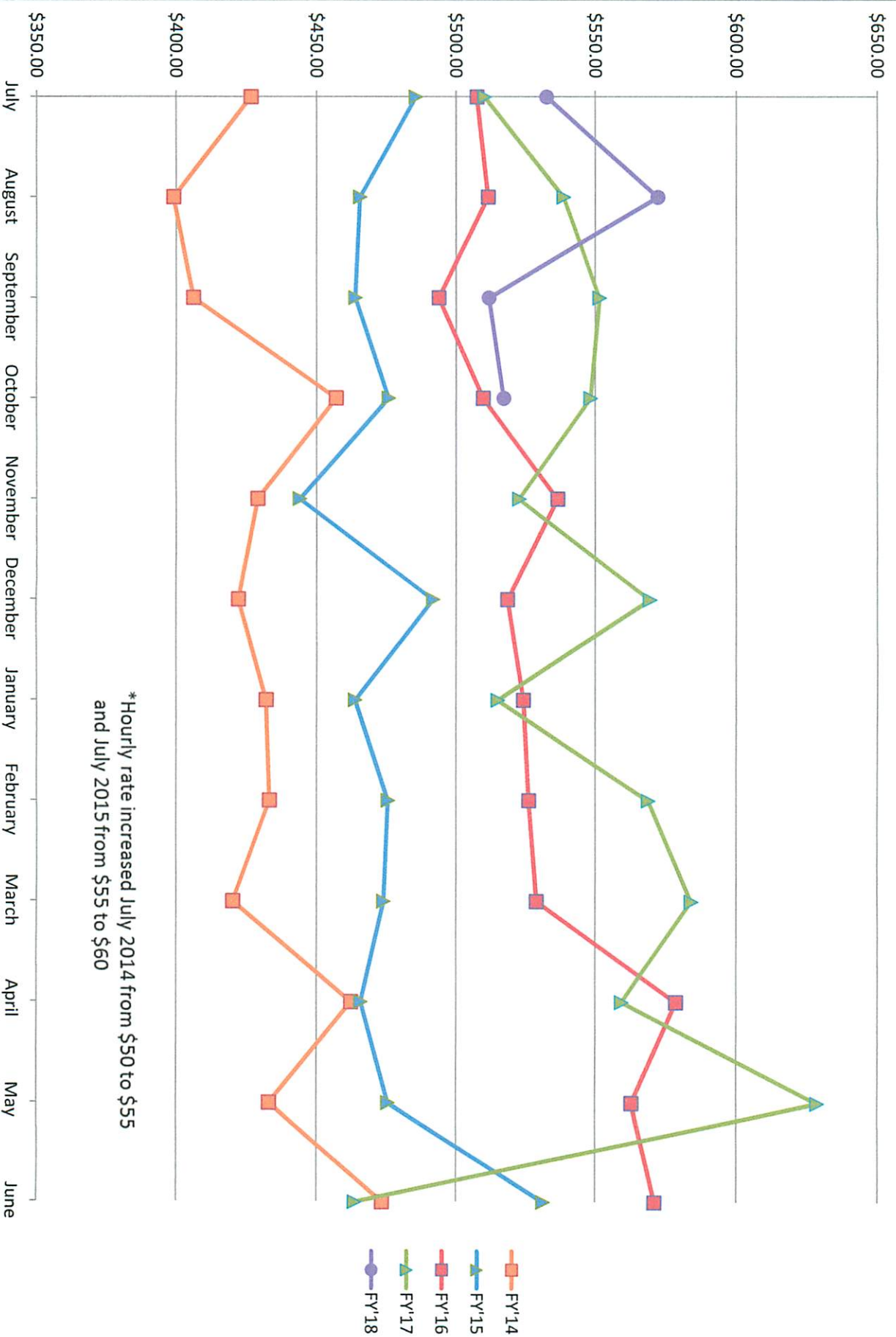
## Submitted Voucher Amount



**Average Voucher Price Fiscal Year to Date**

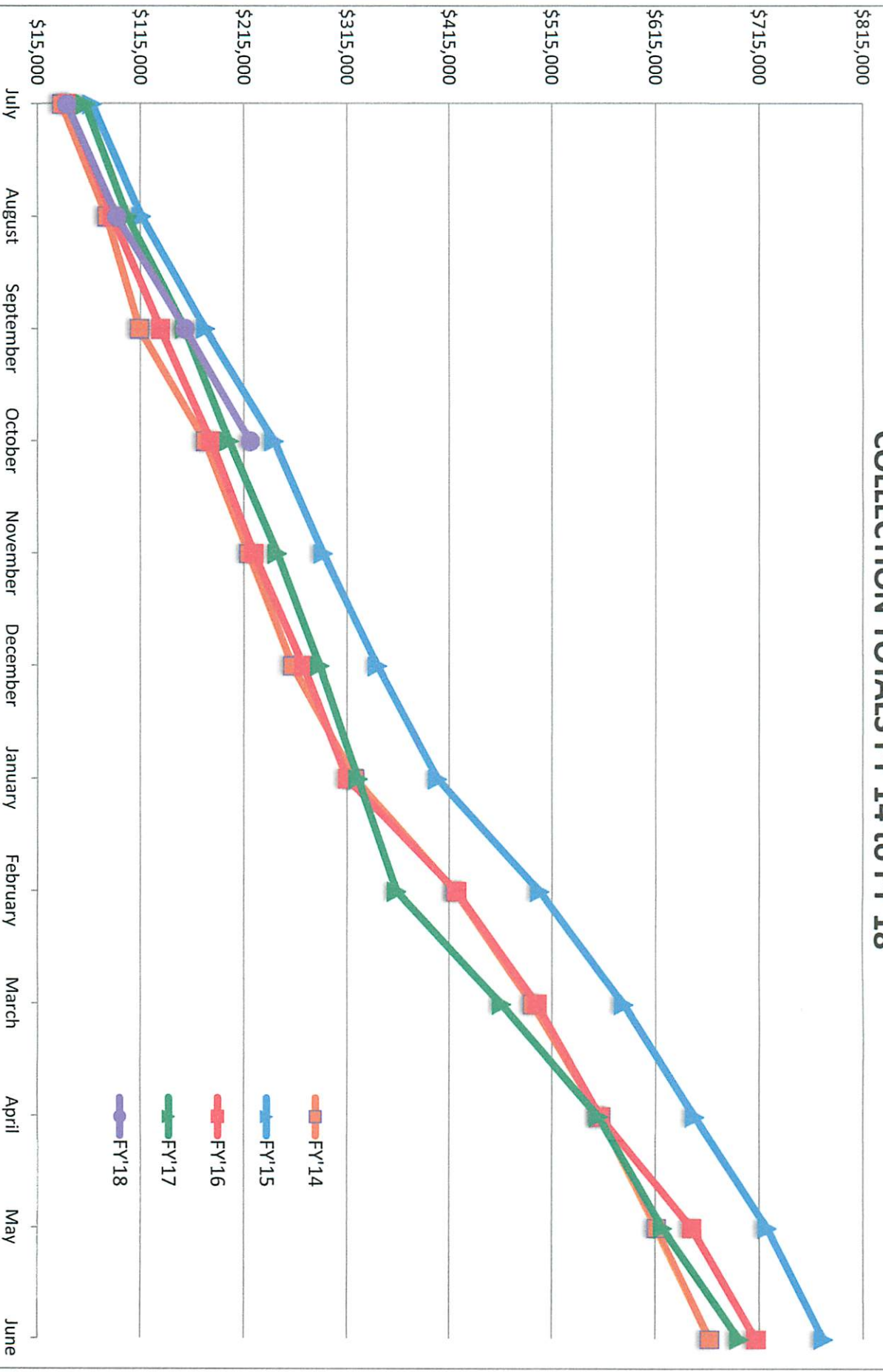


## Monthly Price Per Voucher



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

# COLLECTION TOTALS FY'14 to FY'18





**(3.)**  
**Miscellaneous Items**  
**Report Back**

---

---

**MAINE COMMISSION ON INDIGENT LEGAL SERVICES**

---

---

**TO:** MCILS COMMISSIONERS  
**FROM:** JOHN D. PELLETIER, EXECUTIVE DIRECTOR  
**CC:** ELLIE MACIAG, DEPUTY EXECUTIVE DIRECTOR  
**SUBJECT:** MISCELLANEOUS ITEMS REPORT BACK  
**DATE:** November 9, 2017

---

At its last meeting, the Commission asked the staff to undertake various tasks and provide information on other items. An update on these items is set forth below.

At the last meeting, the Commission asked the staff to make a recommendation for amendment to the fee caps for three case types: Appeal, Post-Conviction Review, and Juvenile Felonies.

**Appeal:** The **current fee cap** for appeals is **\$1,200**. During FY'17, the **average** for appeal vouchers submitted equaled **\$1,625**, and the **median** voucher price equaled **\$984**. The staff recommends that the cap be **increased** to **\$2,400**. This constitutes 40 hours of work, which should cover transcript review, research and writing for most appeals. We expect that cases with oral argument will likely be close to or exceed the new cap. Nevertheless, we think \$2,400 represents a reasonable cap for appeal cases.

**Post-Conviction Review:** The **current fee cap** for post-conviction review cases is **\$1,200**. During FY'17, the **average** for post-conviction review vouchers submitted equaled **\$1,822**, and the **median** voucher price equaled **\$1,087**. The staff recommends that the cap be **increased** to **\$2,400**. Note that post-conviction review cases are filed pro se and tend to fall into two categories. In many cases, it quickly becomes apparent to assigned counsel that the petition lacks merit, and after explanation from the attorney, the petitioner agrees to withdraw the petition. Vouchers in such cases rarely exceed the current cap. Post-conviction review petitions that raise a meritorious issue and are litigated are likely to be expensive. The attorney usually needs to travel to the prison to meet with the client. And because the clients are mostly at the prison, mid-coast counsel can often be assigned to cases arising in far-flung courts, so significant travel is associated with court hearings. These logistical costs are in addition to the research, writing, and court-time aspects of litigating the petition. Staff feels that \$2,400 is a reasonable target for post-conviction review cases, but caution that even with the higher cap, a high percentage of litigated cases will still exceed the cap.

**Juvenile Felony:** The **current fee cap** for juvenile cases is **\$540**. During FY'17, the **average** for juvenile vouchers submitted equaled **\$495**, and the **median** voucher price equaled **\$330**. The current fee cap is unrealistic for juvenile cases involving very serious charges, such as gross sexual assault or aggravated assault. Staff recommends setting a different cap for juvenile cases involving **Class A or Class B** charges of **\$1,500**. This cap, equaling 25 hours, is more realistic for the work generally involved in defending a serious felony

juvenile case. Moreover, it sends a message to juvenile defenders that the Commission supports vigorous defense in such cases. Note, however, that even cases with minor charges can present serious mental health, substance abuse, or placement issues and still give rise to very large vouchers.

At the last meeting, the Commission asked staff to begin a process for creating a checklist for Lawyer of the Day representation, to be followed by regional trainings to improve and standardize Lawyer of the Day practices. We have not had time to begin work on this project.

At the last meeting, the Commission requested data on travel and mileage costs associated with Lawyer of the Day appearances. Our report that pulls data on event entries such as mileage and travel is new. At this time, the report cannot pull such data for a single case type. We have asked Justiceworks to modify the report so that we can access data by event and case type. We will provide the LOD travel and mileage data once the report is modified to enable that inquiry.

**(4.)**

**Action Items**

---

---

**MAINE COMMISSION ON INDIGENT LEGAL SERVICES**

---

---

**TO:** MCILS COMMISSIONERS  
**FROM:** JOHN D. PELLETIER, EXECUTIVE DIRECTOR  
**CC:** ELLIE MACIAG, DEPUTY EXECUTIVE DIRECTOR  
**SUBJECT:** ACTION ITEMS DISCUSSION  
**DATE:** November 13, 2017

---

At its last meeting, the Commission asked for more information regarding vouchers that exceed the cap. Specifically, the Commission asked that a report showing the percentage of over the cap vouchers be modified to combine data for Superior Courts (i.e. criminal cases with Superior Court rather than UCD docket numbers) and Unified Criminal Dockets so as to more accurately reflect the percentage of vouchers over the cap in criminal cases in a particular court location. This modified report is attached.

The Commission also requested a report showing the percentage of vouchers over the cap by case type. That report is attached.

In addition, the staff is seeking Commission guidance on how DefenderData should identify vouchers that are over the cap. Currently, for case types other than child protective, the system counts the total of all previous vouchers submitted in a case when assessing whether a new voucher exceeds the cap. This results in many vouchers that do not actually exceed the cap being counted as over the cap. An example would be a misdemeanor case that results in a deferred disposition, with a voucher of \$600 submitted after entry on the plea and commencement of the deferred. Later, a voucher of \$200 is submitted for work needed to bring the deferred to conclusion. The \$200 voucher is flagged as exceeding the cap because, combined with the first voucher, the sum exceeds \$750. The question is whether this is appropriate or whether we should seek modifications to DefenderData so that only individual vouchers exceeding the cap amount are flagged as over the limit.

For reference, I have again attached a copy of the working list of action items that was presented at the Commission is working through.

Vouchers Over the Cap by Court Location - FY'17

Court	Total Vouchers	Total Overcap Vouchers	Percentage
SOM SUPREME	193	126	65%
<b>COUNTY COURTS</b>			
ALFRED UCD	1729	252	15%
ALFSC	530	187	35%
	<b>2259</b>	<b>439</b>	<b>19%</b>
AROOSTOOK UCD	879	84	10%
CARSC	105	29	28%
HOUSC	47	13	28%
	<b>1031</b>	<b>126</b>	<b>12%</b>
AUBURN UCD	1239	98	8%
AUBSC	283	67	24%
	<b>1522</b>	<b>165</b>	<b>11%</b>
AUGUSTA UCD	1671	129	8%
AUGSC	408	87	21%
	<b>2079</b>	<b>216</b>	<b>10%</b>
BANGOR UCD	2206	136	6%
BANSC	17	3	18%
	<b>2223</b>	<b>139</b>	<b>6%</b>
BATH UCD	336	52	15%
BATSC	16	5	31%
	<b>352</b>	<b>57</b>	<b>16%</b>
BELFAST UCD	311	35	11%
BELSC	32	10	31%
	<b>343</b>	<b>45</b>	<b>13%</b>
DOVER FOXCROFT UCD	113	2	2%
DOVSC	3	0	0%
	<b>116</b>	<b>2</b>	<b>2%</b>
ELLSWORTH UCD	573	42	7%
ELLSC	26	5	19%
	<b>599</b>	<b>47</b>	<b>8%</b>

FARMINGTON UCD	499	49	10%
FARSC	23	3	13%
	<b>522</b>	<b>52</b>	<b>10%</b>

MACHIAS UCD	324	3	1%
MACSC	32	7	22%
	<b>356</b>	<b>10</b>	<b>3%</b>

PORTLAND UCD	3582	474	13%
PORSC	28	9	32%
	<b>3610</b>	<b>483</b>	<b>13%</b>

ROCKLAND UCD	507	70	14%
ROCSC	61	12	20%
	<b>568</b>	<b>82</b>	<b>14%</b>

SKOWHEGAN UCD	15	2	13%
---------------	----	---	-----

SOUTH PARIS UCD	603	35	6%
SOPSC	117	21	18%
	<b>720</b>	<b>56</b>	<b>8%</b>

WISCASSET UCD	334	42	13%
WISSC	27	7	26%
	<b>361</b>	<b>49</b>	<b>14%</b>

#### DISTRICT COURTS

AUGDC	732	149	20%
BANDC	872	62	7%
BELDC	197	45	23%
BIDDC	818	151	18%
BRIDC	167	37	22%
CALDC	95	18	19%
CARDC	148	33	22%
DOVDC	103	9	9%
ELLDC	273	74	27%
FARDC	164	46	28%
FORDC	70	17	24%
HOUDC	256	36	14%
LEWDC	1114	158	14%
LINDC	210	20	10%
MACDC	159	17	11%
MADDC	35	4	11%
MILDC	45	4	9%
NEWDC	301	23	8%
PORDC	1165	235	20%

PREDC	277	56	20%
ROCDC	255	47	18%
RUMDC	131	21	16%
SKODC	467	53	11%
SOPDC	172	35	20%
SPRDC	802	93	12%
WATDC	460	60	13%
WESDC	298	44	15%
WISDC	103	27	26%
YORDC	185	39	21%
	<b>10074</b>	<b>1613</b>	<b>16%</b>



# Over the Cap by Case Type - FY'17

Case Type	Total Cases	Cases Over the Cap	Percent Over the Cap
Appeal	260	165	63%
Child Protection Petition	3288	640	19%
Drug Court	73	0	0%
Emancipation	84	25	30%
Felony	5863	595	10%
Juvenile	872	273	31%
Lawyer of the Day-Custody	2327	0	0%
Lawyer of the Day-Juvenile	385	0	0%
Lawyer of the Day-Walk-in	1282	0	0%
Involuntary Civil Commitment	701	70	10%
Misdemeanor	7427	1082	15%
Petition for Modified Release Treatment	45	37	82%
Petition for Release or Discharge	10	9	90%
Post-Conviction Review	80	22	28%
Probate	6	4	67%
Probation Violation	1739	424	24%
Revocation of Administrative Release	14	3	21%
Review of Child Protection Order	1706	236	14%
Petition for Termination of Parental Rights	769	122	16%
Represent Witness on 5th Admendment Is:	12	2	17%

## 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.

**(5.)**

**Court Access**

**Paid Voucher Data**

---

---

**MAINE COMMISSION ON INDIGENT LEGAL SERVICES**

---

---

**TO:** MCILS COMMISSIONERS  
**FROM:** JOHN D. PELLETIER, EXECUTIVE DIRECTOR  
**CC:** ELLIE MACIAG, DEPUTY EXECUTIVE DIRECTOR  
**SUBJECT:** COURT ACCESS TO PAID VOUCHER DATA  
**DATE:** November 13, 2017 - Update

---

The Judicial Branch is actively implementing the recent statutory change that prioritizes counsel fee reimbursements over fines when bail is being set off. Clerk's offices need information on vouchers paid on behalf of particular defendants for this purpose, and they are finding it cumbersome to telephone or email our staff for this information. Responding to these inquiries is similarly time-consuming for our staff.

The Judicial Branch has inquired whether we would be able to provide this information electronically. To that end, I had a meeting with Justiceworks to discuss the outlines of such a system. They believe they can design a system where two clerks in each courthouse can have limited access to DefenderData paid voucher information by accessing a "web app." Justiceworks is in the process of creating a preliminary design and cost estimate. I hope to have the cost estimate before the meeting, so the Commission can consider that information in its discussion on whether to go forward with this project.

**UPDATE**

Justiceworks proposed to create this application for \$5,000. We accepted the proposal and a contract amendment was drawn up and approved by the State Purchases Division. A copy of the contract materials is attached.

## Division of Procurement Services Amendment Authorization Form

**Form Instructions:** This form must accompany amendments being proposed for approval to existing contracts.

<b>Program Administrator:</b>	John D. Pelletier, Esq.	<b>Office/Division/Program:</b>	Maine Commission on Indigent Legal Services
<b>Phone:</b>	287-3254	<b>CT Number:</b>	CT95F20170713000000000159
<b>Amendment Amount \$:</b>	5,000.00	<b>Revised Agreement Amount \$:</b>	215,000.00
<b>Amendment Date:</b>	November 2, 2017	<b>Revised Agreement End Date:</b>	N/A
<b>Provider/Vendor's Business Name and Address:</b>	Justice Works, LLC, 1148 W Legacy Crossing Blvd, Ste 330, Centerville, UT 84014		
<b>VC Number:</b>	VC0000154125		
<b>Type of Service:</b>	New web-based application to allow the Judicial Branch access to attorney payment information maintained by the Commission.		

**1. Specific Problem or Need for Amendment:**

Provide a full description of the amendment (what changes are being made to the contract) AND explain the necessity of the amendment (why the amendment needs to be done). Amendments are performed to make small changes to the scope of work, extend the termination date and/or change the cost of the agreement.

Pursuant to statute, bail money belonging to criminal defendants may be set off to reimburse the State for amounts previously expended on their behalf to provide representation at State expense. To do so, clerks in the Judicial Branch need to know what amounts, if any, the Commission has previously expended to provide representation to the owner of the bail. Currently, Commission staff provides this information to clerks by email and by telephone.

The original contract with Justice Works is for an electronic voucher payment system. The information needed by the clerks resides in this system, called DefenderData. This amendment will fund the creation of a new web-based application by Justice Works that will provide clerks in the Judicial Branch with access to attorney payment information in DefenderData. This will provide huge efficiencies compared to the current methods used for clerks to access this information and will facilitate the collection of attorney fee reimbursements that the Commission can then use to fund indigent legal services.

**2. Adjustment in Agreement Amount:**

If the amendment includes the addition or reduction of funds, describe how the amendment amount was determined. If the amendment did not include a change to the agreement amount, state "N/A – this amendment does not modify the agreement amount".

The adjusted amount, \$5,000.00, reflects Justice Works' proposal for design and implementation of the new application. Note that this modest amount is a one-time charge, and there will be no ongoing additional charge for use of the application by the Judicial Branch.

<b>Approved by</b>	<i>John Pelletier</i> , Executive Director
<b>Date:</b>	11/2/17

STATE OF MAINE  
MAINE COMMISSION ON INDIGENT LEGAL SERVICES  
CONTRACT FOR SPECIAL SERVICES - AMENDMENT

BY AGREEMENT of both parties this 2<sup>nd</sup> day of November, 2017, the Contract for Special Services between the Maine Commission on Indigent Legal Services hereinafter called "Department," and Justice Works, LLC, hereinafter called "Provider," is hereby amended as follows:

1. The termination date is adjusted from N/A to N/A  
(old service to date) (service to date)

Reason: \_\_\_\_\_

2. The dollar amount of the contract is adjusted from \$210,000.00 to \$215,000.00.

**Reason:** The total amount is adjusted to reflect the cost of a new service – creation of a new web-based application to allow clerks in the Judicial Branch to access attorney payment information to facilitate collection of attorney fee reimbursements. This is a one-time cost for development of the application, and there will be no new additional cost for ongoing use of the application by the Judicial Branch.

3. The Scope of Services in Rider A is amended as follows: See attached Proposal from Justice Works.

All other terms and conditions of the original contract dated July 1, 2017 remain in full force and effect.

IN WITNESS WHEREOF, the Department and the Provider, by their representatives duly authorized, have executed this amendment in one original copy.

Provider: Justice Works, LLC

By: Carl Richey - President

Signature: \_\_\_\_\_ Date: 11-2-17

and

Maine Commission on Indigent Legal Services

By: John D. Pelletier, Esq., Executive Director  
(Name & Title, Department Representative)

Signature: \_\_\_\_\_ Date: 11-2-17

The approval and encumbrance of this Agreement by the Chair of the State Procurement Review Committee and the State Controller is evidenced only by a stamp affixed to this page or by a Case Details Page from the Division of Procurement Services.

---

**(note: this section must be completed by using agency)**

**Department number and Contract number (CT #):** CT95F20170713000000000159

**Vendor Code:** VC0000154125 **Account Codes:** 010 95F Z112 01 5312

**Old Contract Amount:** \$ 210,000.00 **Amount of Adjustment \$** 5,000.00

**New Service to Date:** N/A

## MCILS – Project Plan and Cost Proposal for Custom Reports

### Summary

The proposed changes to the MCILS defenderData implementation will permit authorized Court personnel to access frequently needed information directly from the system. Court personnel will access the system via any modern internet browser, and execute reports as needed to see a history of vouchers paid for legal services rendered. They will also be able to see and download attorney rosters. This functionality will allow for expanded access to information in the future.

It is anticipated that this new functionality will provide ongoing access to defenderData for 60-80 additional users. There will be no recurring cost for this access, however the requested changes will require development work to safely allow this access to the system.

### Features

Justice Works will develop, test, and deploy the features listed and described in Table 1.

Table 1 – Features to be Delivered by Justice Works

Feature	Description
Paid Voucher Search Report	Paid Voucher Search Report runs as a report which mimics the voucher search screen.
Roster Report	Roster Report uses existing roster which will be made available to court users.
Email Filter to Exclude Court Users	Creates custom filters for court users from email feature in defenderData.
Court Login and Access Security	Ensures security of two newly created reports for court users.



## Process

Justice Works will provide development, quality assurance, and project management resources needed to deploy the new features on time. Each feature will follow the status progression shown and described in table below.

Status	Description
Identified	The feature has been identified as necessary.
Specified	The feature is designed and specified allowing development to begin.
In Development	The feature is being worked on by software developers.
Prototyped	This status indicates the feature functions according to specification, is believed to be bug free, and is ready for testing. The feature may be demonstrated to the client project team during this time so that feedback can be obtained early in the development process.
In Acceptance	This status indicates that Quality Assurance believes the feature to be bug free or substantially bug free. The feature may be demonstrated to select user base during this time to get a feedback from a broader user base.
Ready for Deployment	The feature has been accepted by the client and is awaiting deployment.
Deployed	The feature is deployed and is available to the general user base.

## Work Effort

The level of work effort for the provided resources is shown below.

Table 2 – Resource Work Effort

Features	Hourly Estimates					Cost Estimates
	Development	Issue Resolution	QA	Project Management	Total	Total
Paid Voucher Search Report	10.7	3.7	3.7	2.1	20.2	\$2,096
Roster Report	4.0	1.4	1.4	0.8	7.6	\$789
Email Filter to Exclude Court Users	5.2	1.9	1.9	1.1	10.1	\$1,051
Court Login and Access Security	5.2	1.9	1.9	1.1	10.1	\$1,051
<b>Total</b>	<b>25.1</b>	<b>8.9</b>	<b>8.9</b>	<b>5.1</b>	<b>48.0</b>	<b>\$4,987</b>

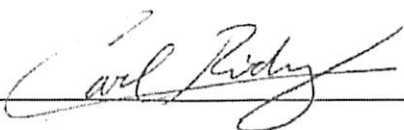
## Project Schedule


Expected completion dates are shown in Table 3

Table 3 – Projected Completion Dates

Project Schedule	
	Estimated Date
Approval By:	October 31, 2017
In Development	November 13, 2017
Prototyped (QA)	November 30, 2017
In Acceptance	December 11, 2017
Deployed	December 22, 2017

## PROPOSAL ACCEPTED:

  
\_\_\_\_\_  
Carl Richey – President                      10/17/2017  
Date

 10/31/17  
\_\_\_\_\_  
John Pelletier                      Date