

**Maine Commission on Indigent Legal Services – Commissioners Meeting  
May 10, 2011**

**Minutes**

**Commissioners Present:** Ron Schneider, Ken Spirer, Marvin Glazier, Sally Sutton, Kim Moody

**MCILS Staff Present:** John Pelletier, Steve Carey, Jennifer Smith

<b>Agenda Item</b>	<b>Discussion</b>	<b>Outcome/Action Item/Responsible Party</b>
Approval of 4/12/11 Commission Meeting Minutes	Copy of minutes received by all Commissioners.	Ken made motion to accept minutes. Marvin seconded. All present voted in favor. Approved.
Operations Report and Budget Update	<p>Jennifer presented the Operations Report memo for dated May 9, 2011 to the Commissioners.</p> <p>Additional comments made during the read out are as follows: John provided estimates to the Governor’s Office of what we projected we would need to be fully funded in the next two years. Initially they discussed amounts close to what we requested. Recently the Governor’s Office found a larger than expected shortfall and needed to make final adjustments. The current Biennial Budget already included an additional \$300,000 in funding for FY 2012 and an additional \$400,000 in funding for FY 2013. The Change Package adds an additional \$141,000 in funding for FY 2012 and an additional \$41,000 for FY 2013 which is less additional funding than we had hoped for. The Governor’s Office understands that we may not have enough funding to make it through next year and they are prepared for us to come forward with a request for additional funding in the Supplement Budget. We will have much better data to justify that need at that point.</p> <p>We are seeing a consistent increase on Revenue collections. John said we are getting the Revenue data quicker from the Courts and next month’s number look higher.</p>	

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Operations Report and Budget Update (continued)	<p>Ken asked if we are full staffing for our screeners. Jennifer explained that we have not filled the Bangor screening position at this point. All staff were budgeted for lower amounts than they were hired for so we are trying to figure out what is left to hire the Bangor screener. John added that it looks unlikely to fund the Bangor position for a full year. Alternatives would be hiring someone at Step 1 only, or on a project basis, or on a part-time process. Jennifer added that she has conversation with Budget about funding some of the position out of the Revenue account.</p> <p>John explained the process of the DefenderData interface with the Court's computer system. It is a process that will take several more months and that maybe phased in at stages.</p> <p>Jennifer explained that the conference account will show much more next month due to our training next week.</p>	
Final Approval of Chapter 3 Specialized Panel Rules	<p>One correction of a date from 2001 to 2011 was noted.</p> <p>Commissioner vote taken to pass rule which passed through the legislature (LD 593) and was signed by the Governor.</p>	Sally moved to vote to pass the rule with the one minor correction. Ken seconded. All present voted in favor. Approved.
Regulatory & Legislative Update	<p>John presented the Regulatory and Legislative Update.</p> <p>LD 602 (SP 182), An Act to Clarify the Method of Appealing Decisions of the Executive Director of the Maine Commission on Indigent Legal Services was voted Ought to Pass as Amended out of Committee on March 24, 2011. The rule has not hit the floor for debate or passage at this point.</p> <p>LD 609 (SP 189), An Act to Declare Certain Records of the Maine Commission on Indigent Legal Services Confidential. This rule is being heard again from the Judiciary Committee on May 11, 2011.</p>	

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Training Update	<p>Steve presented the Training Update Memo for May 2011 to the Commissioners.</p> <p>Steve discussed the concern that many attorneys that still need these trainings to remain rostered have not signed up for the training. Steve shared a print out of the attorneys that still need the trainings with the Commissioners.</p> <p>Copies of the agendas for the May trainings were passed out the Commissioners. Ron commented on how impressive the agendas looked and how we have lined up some great attorneys to serve as presenters.</p>	
Review of Proposed Rules	<p>All proposed rules below were discussed by the Commissioners and changes were suggested by Commissioners.</p> <p>Proposed Rule, Chapter 201, Appeals of Decisions of the Executive Director.</p> <p>Proposed Rule, Chapter 301, Fee Schedule for Commission Assigned Counsel</p> <p>Proposed Rule, Chapter 302, Procedures Regarding Funds for Experts and Investigators.</p> <p>Public Hearings on Rules set for June 14, 2011 at 9:00 am.</p>	<p>Marvin moved to approve the rule as amended and to move forward with public hearing on the rule. Kim seconded. All present voted in favor.</p> <p>Kim moved to approve the rule as amended and to move forward with public hearing on the rule. Marvin seconded. All present voted in favor.</p> <p>Sally moved to approve the rule as amended and to move forward with public hearing on the rule. Ken seconded. All present voted in favor.</p>

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Public Comment	<p>Sarah Churchill – Asked whether is expected if a Commissioner will always serve as a Presiding Officer under the Appeal Rule? If it is a rostered attorney will it be on a volunteer basis or compensated? Steve and John stated it is expected that a Commissioner will be used and if not it is written that a rostered attorney, who would not present a conflict, could be asked to serve on a voluntary basis.</p> <p>Sarah Churchill – Asked if public comment can be made as to a rate change? John stated that every item in the fee schedule is open for public comment.</p>	
Adjournment of Meeting	Next meeting June 14, 2011 after the public hearings on the proposed rules which will start at 9:00 am. Location to be determined.	Motion made and seconded to adjourn the meeting. All present voted in favor. Approved.

