LD 1824 Amendment for sponsor, Rep. Stover, to replace concept draft

An Act To Improve the Maine Child Welfare Services Ombudsman Program by Providing Additional Resources

New Title:
An Act To Establish a Pilot Program to Ensure Legal Representation to Families in the Child Protection System

Replace concept draft with the following:

Be it Enacted by the People of the State of Maine as follows:

Sec. 1. Maine Commission on Indigent Legal Services Pilot Program: Resolved: That the Maine Commission on Indigent Legal Services establishes a pilot program to provide legal counsel to parents and custodians as soon as the Department of Health and Human Services, Office of Child and Family Services, begins a safety assessment to determine if a child is at risk of harm. In developing the pilot project, the Commission shall ensure the following:

1. **Legal counsel.** Provide legal counsel to parents or custodians in the same manner it would provide legal counsel to parents or custodians under Title 22, section 4005, subsection 2.
2. **Eligibility standards.** Use the same standards for eligibility determined in Title 4, chapter 37.
3. **District 4.** Services under this pilot program are provided in District 4 that includes Sagadahoc, Lincoln, Knox and Waldo countries.
4. **Two year pilot.** The pilot program lasts from January 1, 2023 until December 31, 2024.
5. **Report.** The Executive director of the Maine Commission on Indigent Legal Services shall submit a report, no later than March 1, 2025, to the joint standing committee of the Legislature having jurisdiction over judiciary matters, with information on the costs of the program, estimates on expanding the program to the entire State, the number of families served, the extent of services and hours of services provided, and outcomes data, together with any recommended legislation.

SUMMARY

This amendment replaces the concept draft. It establishes a two year pilot project in District 4 in which the Maine Commission on Indigent Legal Services provides legal counsel to parents and custodians as soon as the Department of Health and Human Services begins a safety assessment to determine if a child is at risk of harm. Currently, legal counsel is only available to parents and custodians once the State petitions a court.

Note: this resolve will need a fiscal note. Amount to be determined.