
PAYMENTS FOR ATTENDING TRAINING

TO: MCILS STAFF

FROM: JWA

SUBJECT: PAYMENTS TO COUNSEL FOR ATTENDING TRAINING

DATE: 2/22/2023

CC: COMMISSION

MCILS will follow this protocol when determining the availability of payment to counsel for attendance at training events provided by the Commission.

Statutory Authority: 4 M.R.S. §1804(2)(F) - ...standards for the reimbursement of expenses incurred by assigned counsel and contract counsel, including attendance at training events provided by the commission.

1. The prerogative to request payment or reimbursement pursuant to this protocol is limited to:
 - a. Counsel then presently eligible to receive assignments through the MCILS system;
 - b. Counsel previously eligible to receive assignments through the MCILS system, but only if those counsel become eligible to receive assignments again; and, only after demonstrating that counsel is representing five or more assigned clients; and
 - c. Counsel who become eligible to receive assignments through the MCILS system; and, only after demonstrating that counsel is representing five or more assigned clients.
2. “Provided by the Commission,” means and includes any training, whether or not that training qualifies for CLE credit through the Board of Overseers, that is:
 - a. Prepared and/or presented by MCILS staff at a MCILS sponsored event; or,
 - b. Prepared and/or presented on behalf of, or at the direction of, MCILS or its staff; and,
 - c. Is presented live, including live webcast; or,
 - d. Is presented through proctored playback of a recording, in whole or in part.

3. Reimbursable expenses include only:
 - a. Training registration fees.
 - b. Mileage. Mileage reimbursement shall be made at the State rate applicable to confidential state employees on the date of the travel. Mileage is calculated based upon the distance between the attorney's office address, or the location from which the attorney departs for the training, whichever is nearer to the training, and the location of the training. If multiple attorneys travel to a training in a single vehicle, only one attorney may be reimbursed for the mileage.
 - c. Tolls. Tolls for travel to and from the training. The attorney must have a receipt
 - d. Hotels. Hotel stays necessary to attend a training are reimbursable at the [Standard Rate](#), as set by the U.S. General Services Administration, that is effective on the date of the hotel stay.
 - e. Parking. Fees paid to park at a training.
4. Itemization of Claims. Claims for all expenses must be itemized and include documentation. Claims for mileage shall be itemized and include the start and end points for the travel in question.
5. To receive payment for attending a training, counsel must attend personally, be engaged with the training, and not otherwise engaged or multitasking during its presentation. Where a training may be provided remotely, counsel must be on camera during the entire presentation absent specific direction from the presenter to the contrary.
6. Payment will be authorized at the then-current hourly rate.
7. Payment will be made for actual training time attended, exclusive of breaks.
8. Payment will also be made at the then-current hourly rate for time spent traveling to and from the training.
9. Payment will be made in increments of .1 hours and only for time spent attending the training or traveling to and from the training. Counsel may not record, or seek payment for, any time spent opening or closing the case file as described in paragraph 7 below.
10. Payment will be made through the MCILS assigned counsel payment system (defenderData). To request payment, counsel must:
 - a. Create a "case" in defenderData for each day on which counsel requests payment for attending a training;
 - b. Court must be set to: Training;
 - c. The file type must be set to: TRAIN;

- d. Client information must reflect counsel's first and last names. Other client demographic information does not need to be completed;
 - e. The docket number will be provided at the training and must be entered precisely as provided, or payment will not be available;
 - f. Assignment and disposition date must both be the date of the training for which payment is sought;
 - g. The charge sequence number must be: 100031;
 - h. The disposition must be: Attend Training;
 - i. The time entry for attendance must be: Attend MCILS training;
 - j. The time entry for travel must be: Training Travel;
 - k. Expenses, if any, must be itemized; and
 - l. Then create and submit a voucher.
11. Notwithstanding any other provision of any MCILS rule or policy, vouchers for payment for attending a training must be submitted within 30 days of the training without exception. Attorneys are encouraged to submit their vouchers at the conclusion of the training without delay.
12. The opportunity to request payment for attending trainings does not create a right to attend any specific number of trainings, or any particular training. There are, or may be, limits on the number of people who may attend a particular training
13. Effective date: pay and reimbursement related to trainings as described herein is effective as of February 22, 2023.