

**MAINE COMMISSION ON
PUBLIC DEFENSE SERVICES**

November 18, 2025

**Commissioner's
Meeting Packet**

MAINE COMMISSION ON PUBLIC DEFENSE SERVICES

NOVEMBER 18, 2025 MEETING AGENDA

- 1) Approval of the October 28, 2025 Commission Meeting Minutes
- 2) Report of the Executive Director
 - a. Operations report
 - b. Staffing update
 - c. Budget update
 - d. Annual report
- 3) Update from District Defenders
- 4) Rulemaking discussion / Chapters 302 and 303
- 5) Set Date, Time and Location of Next Regular Meeting of the Commission
- 6) Public Comment

**Maine Commission on Public Defense Services- Commissioners Meeting
October 28, 2025
Meeting Minutes**

Commissioners Present: Donald Alexander, Randall Bates, Anne Jordan, Roger Katz, Taylor Kilgore, David Soucy, Joshua Tardy.

PDS Staff Present: Frayla Tarpinian (Executive Director), Ellie Maciag (Deputy Executive Director), and Toby Jandreau (District Defender).

Agenda Item:	Discussion/Outcome:
Approval of the September 22 and 28, 2025, Commission Meeting Minutes.	Commissioner Alexander moved to approve the minutes from both the September 22 nd and 28 th meetings. The motion was seconded by Commissioner Katz. No discussion. All in favor for the September 22 nd meeting, Commissioner Jordan abstained from voting for the September 28 th meeting minutes. Motion prevailed.
Move to Executive Session (Freedom of Access Law).	Commissioner Alexander moved to enter executive session to discuss a matter under litigation pursuant to 1 M.R.S. 405(6)(E). The motion was seconded by Chair Tardy. All in favor. Motion prevailed.
Director Report (Operations, Staffing, and Budget).	Director Frayla Tarpinian presented her first report. Goal is to meet with Commissioners one-on-one in the coming weeks. The annual criminal and youth conferences were well-received. Annual Report: Staff are preparing the annual report, with a draft expected for the December meeting. Vouchers: The number of monthly vouchers has increased to almost 5,000, but the amount per voucher has decreased. This suggests more frequent billing, which aids budget forecasting. Reporting: The monthly hours section of the operations report has shifted from "submitted hours"

to "hours paid" to correct a double-counting error of some vouchers and improve accuracy. There have been more hours billed to date in FY'26 than in previous years. This may be due to more frequent billing by attorneys due to the projected budget shortfall in the fourth quarter.

Staffing Updates:

- Portland: The office is up and running, with three Rule 11C attorneys taking cases.
- Capital Region: Andrew Dawson is acting District Defender, filling the position vacated by Director Tarpinian.
- Penobscot: Two new defenders, Faith Bickner and Anne Marie Moore, have been added.
- PC Unit: Rebecca Horton has been added as an attorney. She will be taking cases in Augusta and Portland.
- Future hiring includes interviews for a new PC attorney position next week and another Portland attorney position that has been posted and will close next week.
- All new hires are in high-need areas and are expected to help reduce the unrepresented list.

Supplemental Budget Request:

- A meeting with the DAFS commissioner is being scheduled.
- Senator Carney's proposed bill, which aims to fill the budget shortfall and add Portland positions, successfully passed the legislative council.
- Commissioner Kilgore: There are two possible paths to address the fourth quarter shortfall. One would be through the supplemental budget request, and the other would be through a standalone bill submitted as emergency legislation.
- Executive Director Tarpinian: That is correct. The standalone bill could address the shortfall in a timely manner. There is concern that the supplemental budget would be approved after the PDS shortfall would occur and therefore not before any interruption in voucher payment.
- Commissioner Kilgore: Attorneys have reached out with concerns about the shortfall and offered to be of service to PDS in any way that would be beneficial. Attorneys have submitted letters to PDS about the importance of this funding.
- Executive Director Tarpinian: She has personally read all the letters that have been submitted and submitted them with packets that were distributed to legislators. Those

	letters are extremely meaningful and PDS encourages attorneys to continue to submit those letters. • Commissioner Katz: What was the supplemental budget request that we submitted? • Deputy Director Maciag: It was everything in the biennial budget that we did not get. That included: (1) completing the Portland office; (2) creating a York County office; (3) creating a Mid-Coast office; (4) increasing PD staff capacity to handle 50% of the caseload statewide; and (5) add additional positions to the parent counsel division.
District Defender Update.	District Defender Toby Jandreau of the Aroostook Public Defenders Office reported that PD offices are fully staffed and moving from a building to maintaining phase. Going forward, the District Defenders will provide written materials to the Commission in advance of monthly meetings. District Defender Jandreau reported a good month with lots of wins for the defenders in his office. Chair Tardy thanked the defenders for their efforts and successes.
Public Comment	Attorney Robert Ruffner: Requested a roadmap on supplemental funding efforts so assigned counsel can plan. He noted that his firm (11 attorneys, 4 staff) must now seek a line of credit to cover payroll, which is expensive. Attorney Ruffner asked PDS to explore a way to certify approved invoices that firms can show to lenders to help secure credit. Commissioner Alexander: Responded that the outcome of the federal government shutdown will significantly impact the state's resources and ability to pass a supplemental appropriation or independent bill. Attorney Neil Prendergast: Echoed Attorney Ruffner's concerns, stating attorneys he has spoken with in Aroostook County will have to start backing off PDS work because they cannot go an entire quarter without pay. Warned that if funding fails, private attorneys will find other work, negatively impacting the hybrid system. Attorney Prendergast urged the Commission to provide updates, as knowledge is power and any news helps attorneys plan.
Adjournment	Next Meeting: Tuesday, November 18th at 3:00 PM. The meeting will be in a hybrid format.

MAINE COMMISSION ON PUBLIC DEFENSE SERVICES

October 2025 Operations Report

- 2,180 new cases were opened in the defenderData system. This was a 227 case decrease from September. Year to date, new cases are flat from last year, from 9,873 at this time last year to 9,812 this year.
- The number of vouchers submitted electronically was 4,271 a decrease of 410 vouchers from September, totaling \$4,011,644, a decrease of \$304,783 from September. Year to date, the number of submitted vouchers is up by 23.4% from 14,558 at this time last year to 17,972 this year, with the total amount for submitted vouchers up 11.4%, from \$15,154,904 at this time last year to \$16,893,906 this year.
- We paid 4,314 electronic vouchers totaling \$3,848,578 representing a decrease of 679 vouchers and a decrease of \$650,242 compared to September. Year to date, the number of paid vouchers is up 23.6%, from 14,584 vouchers at this time last year to 18,035 this year, and the total amount paid is up 13.6%, from \$14,831,622 this time last year to \$16,855,511 this year.
- The average price per voucher was \$892.11, down \$8.92 per voucher from September. Year to date, the average price per voucher is down 8.1%, from \$1,016.98 at this time last year to \$934.60 this year.
- Petition, Release or Discharge and Termination of Parental Rights had the highest average voucher total. There were 12 vouchers exceeding \$10,000 paid in October. See attached addendum for details.
- We issued 168 authorizations to expend funds: 65 for private investigators, 73 for experts, and 30 for miscellaneous services such as interpreters and transcriptionists. We paid \$204,246 for experts and investigators, etc. No requests were denied.
- There were no attorney suspensions.
- In the All Other Account, the total expenses were \$4,200,725. Approximately \$147,550 was devoted to the Commission's operating expenses.
- In the Personal Services Accounts, we had \$764,732 in expenses.
- In the Revenue Account, the Judicial Branch transferred \$27,990 for counsel fee payments.
- As of November 12, 2025, there are 179 rostered attorneys of which 118 are available for trial court level work.
- For the first 4 months of this fiscal year, paid hours are up 12.9% over the same 4-month period last year. October 2025 paid hours are 10.5% lower than October 2024 paid hours.

Paid Hours													
	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June	Yearly Total
FY22	27215	20122	23699	19917	20289	14422	15689	21060	30339	19984	19176	21343	253,255
FY23	19654	22596	21511	21151	20771	19576	23786	18811	22669	19232	27112	22334	259,203
FY24	21550	25799	21317	25400	19983	16857	31200	25274	23804	28726	24288	22486	286,684
FY25	24574	24296	20907	29382	26430	28126	24409	24710	23162	27051	26447	26588	306,081
FY26	30347	26144	29265	26275									112,031

Vouchers over \$10,000 - October 2025

Comment	Voucher Total	Case Total
Post-Conviction Review - Homicide	\$16,465.97	\$16,465.97
Homicide	\$16,257.00	\$16,257.00
Termination of Parental Rights	\$14,434.00	\$14,434.00
Termination of Parental Rights	\$13,605.62	\$13,605.62
Homicide	\$13,440.00	\$13,440.00
Aggravated Trafficking	\$12,345.00	\$12,345.00
Gross Sexual Assault	\$12,308.00	\$12,308.00
Gross Sexual Assault	\$11,870.88	\$17,574.44
Termination of Parental Rights	\$10,937.60	\$15,767.50
Criminal Threatening	\$10,810.60	\$10,810.60
Aggravated Trafficking	\$10,674.00	\$10,674.00
Burglary	\$10,410.00	\$10,410.00

MAINE COMMISSION ON PUBLIC DEFENSE SERVICES

Activity Report by Case Type

10/31/2025

DefenderData Case Type	Oct-25						Fiscal Year 2026			
	New Cases	Vouchers Submitted	Submitted Amount	Vouchers Paid	Approved Amount	Average Amount	Cases Opened	Vouchers Paid	Amount Paid	Average Amount
Appeal	14	51	\$112,306.12	39	\$ 90,554.62	\$2,321.91	69	190	\$ 440,106.57	\$2,316.35
Central Office Resource Counsel	0	2	\$1,575.00	6	\$ 615.00	\$102.50	0	12	\$ 8,145.00	\$678.75
Child Protection Petition	134	648	\$748,854.02	594	\$ 693,961.09	\$1,168.28	619	2,726	\$ 3,278,751.74	\$1,202.77
Drug Court	4	15	\$32,626.32	19	\$ 35,934.12	\$1,891.27	23	78	\$ 159,713.88	\$2,047.61
Emancipation	8	11	\$8,418.72	5	\$ 3,678.24	\$735.65	23	38	\$ 23,382.95	\$615.34
Felony	560	1,330	\$1,380,479.14	1,410	\$ 1,421,301.62	\$1,008.02	2,455	5,735	\$ 6,280,590.75	\$1,095.13
Involuntary Civil Commitment	5	32	\$22,484.40	39	\$ 26,587.34	\$681.73	215	310	\$ 186,399.40	\$601.29
Juvenile	101	171	\$163,090.76	141	\$ 136,634.47	\$969.04	412	587	\$ 578,069.57	\$984.79
Lawyer of the Day - Custody	304	301	\$199,755.35	269	\$ 177,175.85	\$658.65	1,183	1,160	\$ 777,961.56	\$670.66
Lawyer of the Day - Juvenile	5	4	\$1,800.00	3	\$ 1,230.00	\$410.00	13	11	\$ 4,830.00	\$439.09
Lawyer of the Day - Walk-in	103	113	\$81,199.34	114	\$ 77,774.10	\$682.23	491	506	\$ 331,680.99	\$655.50
PDS Provided Training	130	118	\$236,503.29	85	\$ 24,897.06	\$292.91	389	302	\$ 246,901.88	\$817.56
Misdemeanor	689	1,144	\$774,046.75	1,199	\$ 842,682.74	\$702.82	3,116	4,899	\$ 3,383,107.19	\$690.57
Petition, Modified Release Treatment	0	7	\$7,917.96	9	\$ 10,482.96	\$1,164.77	5	19	\$ 24,416.96	\$1,285.10
Petition, Release or Discharge	0	0		1	\$ 5,917.02	\$5,917.02	0	3	\$ 21,315.21	\$7,105.07
Petition, Termination of Parental Rights	0	1	\$3,015.00	1	\$ 3,015.00	\$3,015.00	0	6	\$ 21,705.00	\$3,617.50
Post Conviction Review	3	28	\$22,688.20	39	\$ 62,539.08	\$1,603.57	17	133	\$ 177,387.83	\$1,333.74
Probate	1	3	\$15,441.00	3	\$ 4,515.00	\$1,505.00	2	12	\$ 13,274.44	\$1,106.20
Probation Violation	117	237	\$161,972.10	282	\$ 200,338.41	\$710.42	639	1,029	\$ 722,098.94	\$701.75
Represent Witness on 5th Amendment	0	1	\$465.00	2	\$ 555.00	\$277.50	6	6	\$ 2,576.54	\$429.42
Resource Counsel Criminal	0	6	\$3,257.28	5	\$ 2,115.00	\$423.00	1	17	\$ 9,105.00	\$535.59
Resource Counsel Juvenile	0	0		0			0	5	\$ 1,712.76	\$342.55
Resource Counsel Mental Health	0	0		0			0	2	\$ 285.00	\$142.50
Resource Counsel NCR	0	0		0			0	0		
Resource Counsel Protective Custody	0	2	\$2,805.00	2	\$ 3,705.00	\$1,852.50	0	6	\$ 9,165.00	\$1,527.50
Review of Child Protection Order	0	7	\$11,127.00	3	\$ 1,335.00	\$445.00	0	42	\$ 50,279.64	\$1,197.13
Revocation of Administrative Release	1	3	\$1,200.00	0			3	5	\$ 1,980.00	\$396.00
Weapons Restrictions Case	1	36	\$18,616.78	44	\$ 21,034.90	\$478.07	131	196	\$ 100,567.60	\$513.10
TOTAL	2,180	4,271	\$4,011,644.53	4,314	\$ 3,848,578.62	\$892.11	9,812	18,035	\$ 16,855,511.40	\$934.60

MAINE COMMISSION ON PUBLIC DEFENSE SERVICES

Activity Report by Court

10/31/2025

Court	Oct-25						Fiscal Year 2026			
	New Cases	Vouchers Submitted	Submitted Amount	Vouchers Paid	Approved Amount	Average Amount	Cases Opened	Vouchers Paid	Amount Paid	Average Amount
ALFSC	1	5	\$8,550.00	4	\$ 7,680.00	\$1,920.00	7	5	\$ 8,190.00	\$1,638.00
AUBSC	0	3	\$922.50	5	\$ 1,177.50	\$235.50	8	24	\$ 20,805.18	\$866.88
AUGDC	9	34	\$101,443.31	41	\$ 89,303.45	\$2,178.13	87	213	\$ 361,807.67	\$1,698.63
AUGSC	1	6	\$6,630.00	8	\$ 9,151.50	\$1,143.94	7	18	\$ 35,062.19	\$1,947.90
BANDC	29	114	\$130,685.80	65	\$ 71,871.06	\$1,105.71	219	381	\$ 365,607.33	\$959.60
BANSC	1	4	\$11,214.00	0			6	5	\$ 13,549.76	\$2,709.95
BATSC	0	1	\$1,215.00	1	\$ 1,215.00	\$1,215.00	1	1	\$ 1,215.00	\$1,215.00
BELDC	19	28	\$43,470.44	22	\$ 35,223.54	\$1,601.07	37	117	\$ 215,042.97	\$1,837.97
BELSC	0	0		0			0	0		
BIDDC	36	120	\$121,332.17	134	\$ 100,291.04	\$748.44	186	510	\$ 450,494.41	\$883.32
BRIDC	6	16	\$14,137.64	17	\$ 14,455.00	\$850.29	39	102	\$ 95,608.20	\$937.34
CALDC	3	11	\$5,240.00	7	\$ 4,005.00	\$572.14	17	32	\$ 24,854.43	\$776.70
CARDC	4	13	\$17,460.00	20	\$ 18,203.04	\$910.15	14	72	\$ 57,641.64	\$800.58
CARSC	0	2	\$1,035.00	2	\$ 1,035.00	\$517.50	2	6	\$ 2,550.00	\$425.00
DOVDC	8	20	\$14,634.84	5	\$ 4,410.00	\$882.00	23	38	\$ 41,983.80	\$1,104.84
DOVSC	0	1	\$ 827.18	1	\$ 827.18	\$ 827.18	1	1	\$ 827.18	\$827.18
ELLDC	7	62	\$54,952.72	57	\$ 62,644.84	\$1,099.03	43	208	\$ 194,065.57	\$933.01
ELLSC	0	0		0			0	0		
FARDC	14	31	\$19,158.90	28	\$ 20,614.92	\$736.25	39	124	\$ 115,213.60	\$929.14
FARSC	0	0		0			1	0		
FORDC	6	10	\$5,910.00	12	\$ 6,030.00	\$502.50	14	43	\$ 33,810.36	\$786.29
HOUDC	5	19	\$19,144.58	12	\$ 11,501.52	\$958.46	20	70	\$ 67,187.22	\$959.82
HOUSC	0	1	\$ 360.00	0			0	0		
LEWDC	48	125	\$126,215.98	124	\$ 133,775.11	\$1,078.83	236	558	\$ 645,112.14	\$1,156.11
LINDC	2	16	\$12,868.26	9	\$ 11,750.04	\$1,305.56	27	43	\$ 46,500.66	\$1,081.41
MACDC	1	6	\$5,580.00	5	\$ 5,736.48	\$1,147.30	5	33	\$ 27,378.94	\$829.66
MACSC	0	1	\$3,555.00	1	\$ 3,555.00	\$3,555.00	2	2	\$ 8,625.51	\$4,312.76
MADDC	0	1	\$ 656.00	0			0	4	\$ 23,529.67	\$5,882.42
MILDC	0	3	\$1,786.68	1	\$ 1,036.68	\$1,036.68	6	6	\$ 11,969.36	\$1,994.89
NEWDC	18	33	\$36,806.85	22	\$ 11,528.88	\$524.04	39	95	\$ 70,715.58	\$744.37
PORDC	19	141	\$122,460.47	145	\$ 125,134.03	\$862.99	186	669	\$ 539,973.35	\$807.14
PORSC	1	4	\$2,115.00	3	\$ 1,455.00	\$485.00	7	9	\$ 7,113.56	\$790.40
PREDC	8	17	\$21,174.00	14	\$ 17,713.80	\$1,265.27	22	67	\$ 65,603.19	\$979.15
ROCDC	2	15	\$26,671.20	17	\$ 23,305.17	\$1,370.89	53	99	\$ 129,674.54	\$1,309.84
ROCSC	0	0		0			1	1	\$ 1,955.94	\$1,955.94
RUMDC	2	24	\$15,075.00	21	\$ 21,274.92	\$1,013.09	24	126	\$ 153,640.11	\$1,219.37
SKODC	21	51	\$70,356.44	54	\$ 87,273.86	\$1,616.18	87	216	\$ 321,653.51	\$1,489.14
SKOSC	1	1	\$930.00	1	\$ 930.00	\$930.00	1	3	\$ 2,664.77	\$888.26
SOUDC	4	20	\$10,352.30	18	\$ 9,516.30	\$528.68	34	118	\$ 111,951.57	\$948.74
SOUSC	0	1	\$855.00	1	\$ 855.00	\$855.00	1	4	\$ 2,512.50	\$628.13
SPRDC	3	3	\$1,950.00	1	\$ 90.00	\$90.00	7	22	\$ 22,192.50	\$1,008.75
Law Ct	14	48	\$114,616.12	35	\$ 89,564.62	\$2,558.99	65	162	\$ 379,871.49	\$2,344.89
Training	128	121	\$238,813.29	92	\$ 27,147.06	\$295.08	386	318	\$ 262,576.88	\$825.71
YORCD	227	451	\$359,939.45	483	\$ 445,250.15	\$921.84	1,054	1,823	\$ 1,842,185.99	\$1,010.52
AROCD	77	164	\$131,778.81	219	\$ 188,558.23	\$861.00	513	960	\$ 772,805.70	\$805.96
ANDCD	169	390	\$283,062.08	484	\$ 337,902.94	\$698.15	667	1,762	\$ 1,206,145.50	\$684.53
KENCD	155	237	\$255,144.64	196	\$ 208,058.05	\$1,061.52	743	888	\$ 821,096.70	\$924.66
PENCD	203	380	\$334,919.36	392	\$ 341,115.74	\$871.96	856	1,579	\$ 1,393,583.60	\$882.66
SAGCD	34	64	\$55,822.72	71	\$ 60,630.85	\$853.96	171	313	\$ 282,420.70	\$902.30
WALCD	78	102	\$103,472.00	88	\$ 87,619.84	\$995.68	275	314	\$ 293,655.83	\$935.21
PISCD	29	27	\$28,348.80	23	\$ 18,846.12	\$819.40	89	83	\$ 119,719.72	\$1,442.41
HANCD	47	47	\$35,895.00	65	\$ 54,057.69	\$831.66	205	272	\$ 248,938.74	\$915.22
FRACD	26	59	\$53,020.74	49	\$ 42,454.73	\$866.42	156	254	\$ 250,714.23	\$987.06
WASCD	40	64	\$60,737.78	69	\$ 61,502.98	\$891.35	209	254	\$ 269,319.97	\$1,060.31
CUMCD	375	692	\$529,991.26	700	\$ 548,971.71	\$784.25	1,606	2,910	\$ 2,547,928.42	\$875.58
KNOCD	36	52	\$54,199.04	56	\$ 58,121.64	\$1,037.89	198	291	\$ 260,203.64	\$894.17
SOMCD	89	114	\$105,160.42	96	\$ 93,370.97	\$972.61	372	455	\$ 437,863.12	\$962.34
OXFCD	85	186	\$126,614.13	193	\$ 153,098.37	\$793.26	374	775	\$ 622,525.52	\$803.26
LINCD	59	42	\$38,059.38	54	\$ 50,247.43	\$930.51	203	245	\$ 203,211.54	\$829.43
WATDC	11	22	\$33,589.90	17	\$ 19,937.58	\$1,172.80	52	109	\$ 134,932.04	\$1,237.91
WESDC	12	35	\$22,823.50	35	\$ 26,719.59	\$763.42	84	140	\$ 120,830.30	\$863.07
WISDC	0	7	\$5,322.99	12	\$ 15,439.35	\$1,286.61	7	63	\$ 75,262.99	\$1,194.65
WISSC	0	0		0			2	0		
YORDC	5	4	\$2,580.86	7	\$ 5,393.12	\$770.45	12	20	\$ 11,434.88	\$571.74
TOTAL	2,180	4,271	\$4,011,644.53	4,314	\$3,848,578.62	\$892.11	9,812	18,035	\$16,855,511.40	\$934.60

STATEMENT OF ALLOTMENTS/BUDGET
Maine Commission on Public Defense Services
FY26 As of 10/31/2025

Fund Approp Account Name		Quarter 1		Quarter 2		Quarter 3		Quarter 4		Total	
GENERAL											
010	Z11201										
	Object Class	1 PS	2 AO	1 PS	2 AO	1 PS	2 AO	1 PS	2 AO	1 PS	2 AO
	Budget/Allotment	2,338,782.00	15,234,914.00	4,210,714.00	16,511,310.00	3,002,077.00	10,424,348.00	685,206.00	547,189.00	10,236,779.00	42,717,761.00
	Expenditures to date	(2,338,781.78)	(14,188,190.33)	(764,732.76)	(4,200,725.57)	-	-	-	-	(3,103,514.54)	(18,388,915.90)
	Encumbrances		(1,034,935.60)		8,829.04		-		-		(1,026,106.56)
	Total Available Allotment	0.22	11,788.07	3,445,981.24	12,319,413.47	3,002,077.00	10,424,348.00	685,206.00	547,189.00	7,133,264.46	23,302,738.54

OTHER SPECIAL REVENUE FUNDS

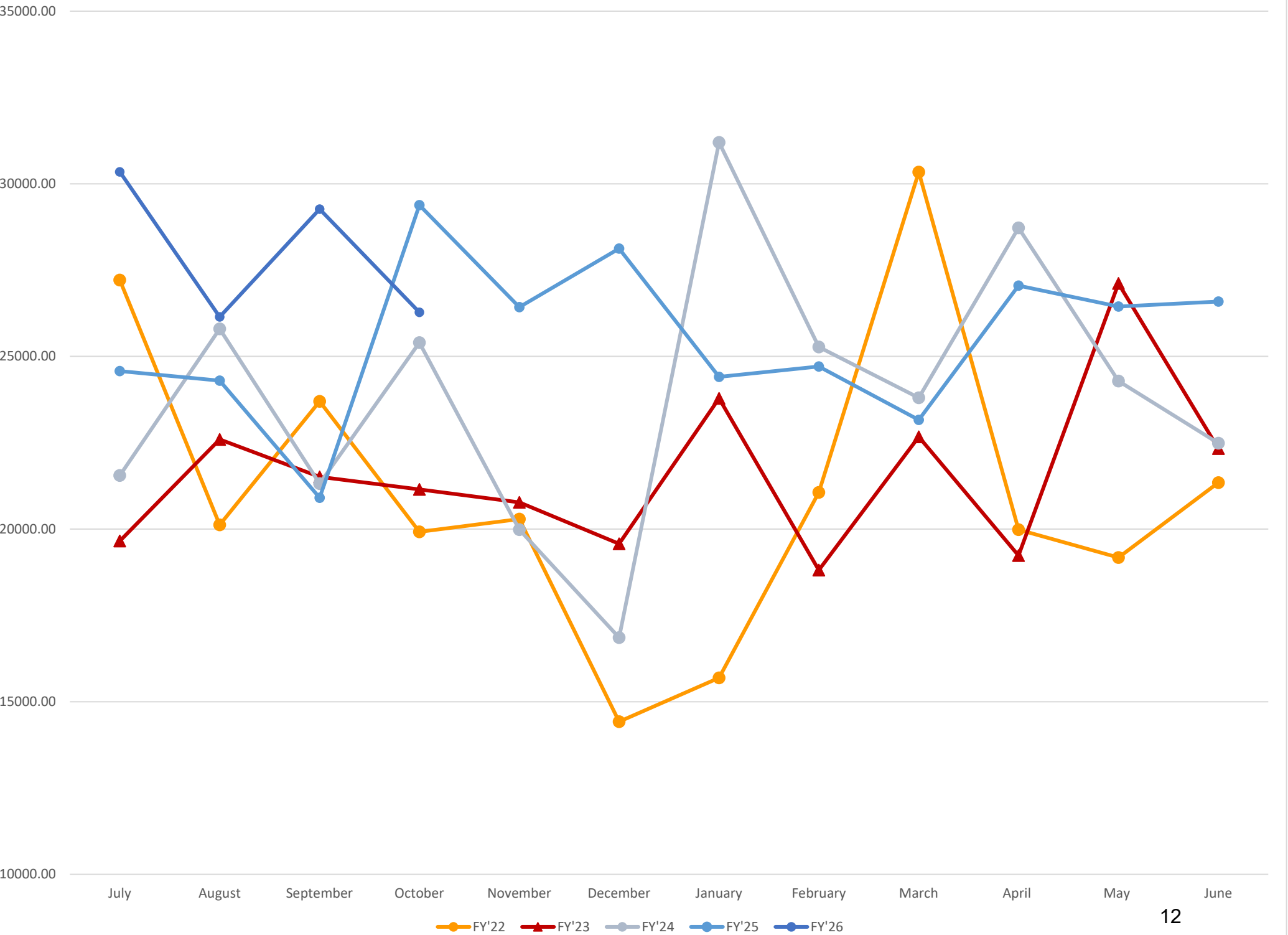
Fund Approp Account Name		Quarter 1		Quarter 2		Quarter 3		Quarter 4		Total	
014	Z11201										
	Object Class	1 PS	2 AO	1 PS	2 AO	1 PS	2 AO	1 PS	2 AO	1 PS	2 AO
	Budget/Allotment	-	55,117.00	-	252.00	-	283,334.00	-	66,666.00	-	405,369.00
	Expenditures to date	-	(40,089.74)	-	40,089.74	-	-	-	-	-	-
	Encumbrances		(15,025.75)		7,304.94		-		-		(7,720.81)
	Total Available Allotment	-	1.51	-	47,646.68	-	\$283,334.00	-	\$66,666.00	-	\$397,648.19

		PS	All Other Expenditures																	Total All Other	Expenditures
		TRAVEL PROF. SERVICES, PROF. SERVICES, EXPENSES, IN UTILITY NOT BY STATE BY STATE STATE SERVICES RENTS REPAIRS INSURANCE GENERAL EMPLOYEE COMMODITIES - TECHNOLOGY CLOTHING EQUIPMENT AND OFFICE & LABOR AND CHARGES TO SUPPLIES INS CLIENT ASSETS AND TELECOMMUNICATIONS																			
		31-39	40	41	42	45	46	47	48	49	50	51	53	54	55	56	65	90	95		
Budget		10,236,779.00	22,472,523.00	18,698,571.00	229,990.00	-	75,000.00	-	3,760.00	58,850.00	7,900.00	-	1,103,515.00	-	18,979.00	43,673.00	-	-	5,000.00	42,717,761.00	52,954,540.00
Jul-25	1	958,692.39	5,088,111.07	24,744.24	3,113.42	-	26,368.72	-	9,502.81	141,664.30	1,125.00	7,222.55	103,018.06	-	-	4,905.12	-	785.00	2,167.00	5,412,727.29	6,371,419.68
Aug-25	2	671,020.24	3,858,988.20	33.00	7,349.04	-	818.50	-	-	109,415.38	820.64	12,275.35	23,839.20	-	600.00	14,989.31	45.89	300.00	-	4,029,474.51	4,700,494.75
Sep-25	3	709,069.15	4,560,907.85	-	2,427.68	16.00	-	-	225.00	112,990.70	4,630.00	-	56,561.83	144.50	-	7,934.97	-	150.00	-	4,745,988.53	5,455,057.68
Oct-25	4	764,732.76	3,957,517.65	24,744.24	5,489.51	-	-	-	18.15	114,727.39	900.00	-	89,781.72	156.44	224.97	7,018.35	-	-	147.15	4,200,725.57	4,965,458.33
Nov-25	5	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Dec-25	6	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Jan-26	7	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Feb-26	8	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Mar-26	9	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Apr-26	10	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
May-26	11	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Jun-26	12	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Expenditures		3,103,514.54	17,465,524.77	49,521.48	18,379.65	16.00	27,187.22	-	9,745.96	478,797.77	7,475.64	19,497.90	273,200.81	300.94	824.97	34,847.75	45.89	1,235.00	2,314.15	18,388,915.90	21,492,430.44
Encumbrances			695,966.76	-	-	-	-	-	-	534.03	18,000.00	-	222,124.01	-	-	89,481.76	-	-	-	1,026,106.56	1,026,106.56
Estimated Remaining Expenses		6,272,030.24																		-	6,272,030.24
Total Estimated Expenses		9,375,544.78	18,161,491.53	49,521.48	18,379.65	16.00	27,187.22	-	9,745.96	479,331.80	25,475.64	19,497.90	495,324.82	300.94	824.97	124,329.51	45.89	1,235.00	2,314.15	19,415,022.46	28,790,567.24
Remaining Funds Available		861,234.22	4,311,031.47	18,649,049.52	211,610.35	(16.00)	47,812.78	-	(5,985.96)	(420,481.80)	(17,575.64)	(19,497.90)	608,190.18	(300.94)	18,154.03	(80,656.51)	(45.89)	(1,235.00)	2,685.85	23,302,738.54	24,163,972.76

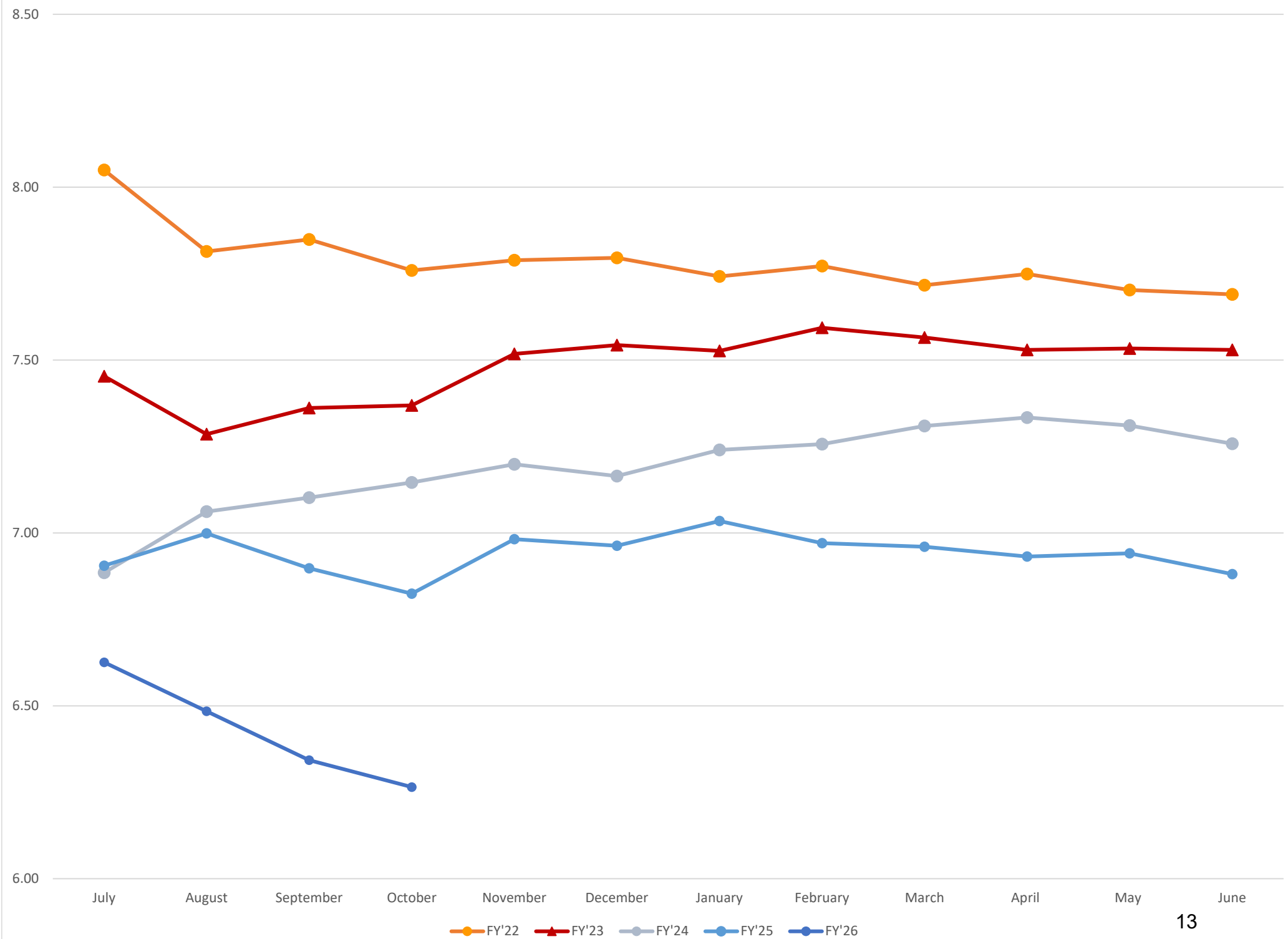
EXPENSES FOR OCTOBER 2025

Object Name	Fund 010 Z11201	Approp 014 Z11201	Grand Total
ACCOUNT & AUDIT SERVICES	1,962.50		1,962.50
READER & INTERPRETER SERV	3,931.86		3,931.86
INSPECT & INVESTIGATION	35,963.59		35,963.59
COURT APPOINTED ATTORNEYS	3,848,928.62		3,848,928.62
LEGAL SERVICES	585.00		585.00
PSYCHOLOGICAL EXAMINATION	41,675.00		41,675.00
CONSULTATION SERVICES	(500.00)	(39,842.32)	(40,342.32)
CASE MANAGEMENT SERVICES	10,958.57		10,958.57
CONTRACTUAL EMPLOYEE	4,610.16		4,610.16
MISC PROF FEES & SPEC SRV	9,402.35		9,402.35
SERVICE CENTER	24,744.24		24,744.24
AUTO MILEAGE-GEN IN STATE	5,489.51		5,489.51
INSURANCE ON BUILDINGS	18.15		18.15
COURIER SERVICE	164.04		164.04
POSTAGE	753.67		753.67
BUS REPLY & POSTAGE DUE	0.87		0.87
INTRAGOVERNMENTAL SERVICE	146.96		146.96
PRINTING AND BINDING	218.56		218.56
TRANSCRIPTS	4,147.19		4,147.19
EXPERT WITNESS FEES	109,126.10		109,126.10
WITNESS FEES	10.00		10.00
DUES	160.00		160.00
REGISTRATION FEE-NON STATE	900.00		900.00
OIT PROFESSIONAL CHARGES	6,262.45		6,262.45
TELEPHONE SERVICE	2,986.50		2,986.50
CELLULAR PHONE SERVICE	2,742.84		2,742.84
IT END USER SERVICES	33,289.60		33,289.60
IT CONSULTING-NON STATE	9,900.99		9,900.99
IT APPLICATIONS-BY STATE	5,217.26		5,217.26
NETWORK ACCESS	291.24		291.24
LEASE PURCHASE HARDWARE/SYSTEM	1,952.90		1,952.90
SOFTWARE MAINT / LICENSES	16,791.81		16,791.81
MINOR IT EQUIPMENT	10,346.13		10,346.13
CLOTHING	156.44		156.44
MINOR IT EQUIPMENT/ACCESSORIES	224.97		224.97
OFFICE & OTHER SUPPLIES	165.54		165.54
OFFICE SUPPLIES	2,990.40		2,990.40
PURCHASE OF BOOKS	1,288.42		1,288.42
MISC SUPPLIES	8.99		8.99
MODULAR FURNITURE	2,565.00		2,565.00
TRANS TO GEN FUND STACAP		(247.42)	(247.42)
TEL/COM PROF SVCS (NON STATE)	147.15		147.15
	4,200,725.57	(40,089.74)	4,160,635.83

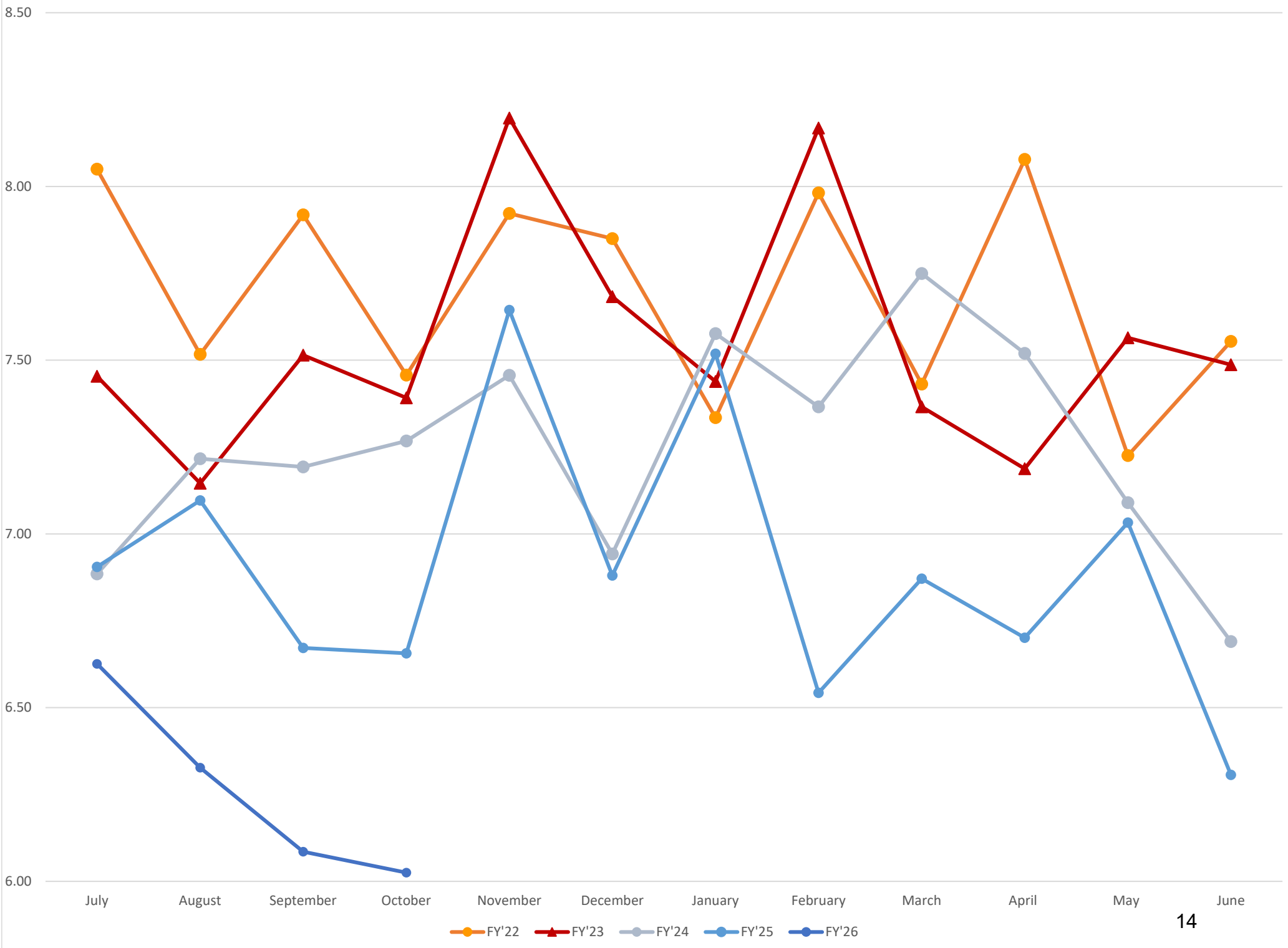
Paid Hours Amount



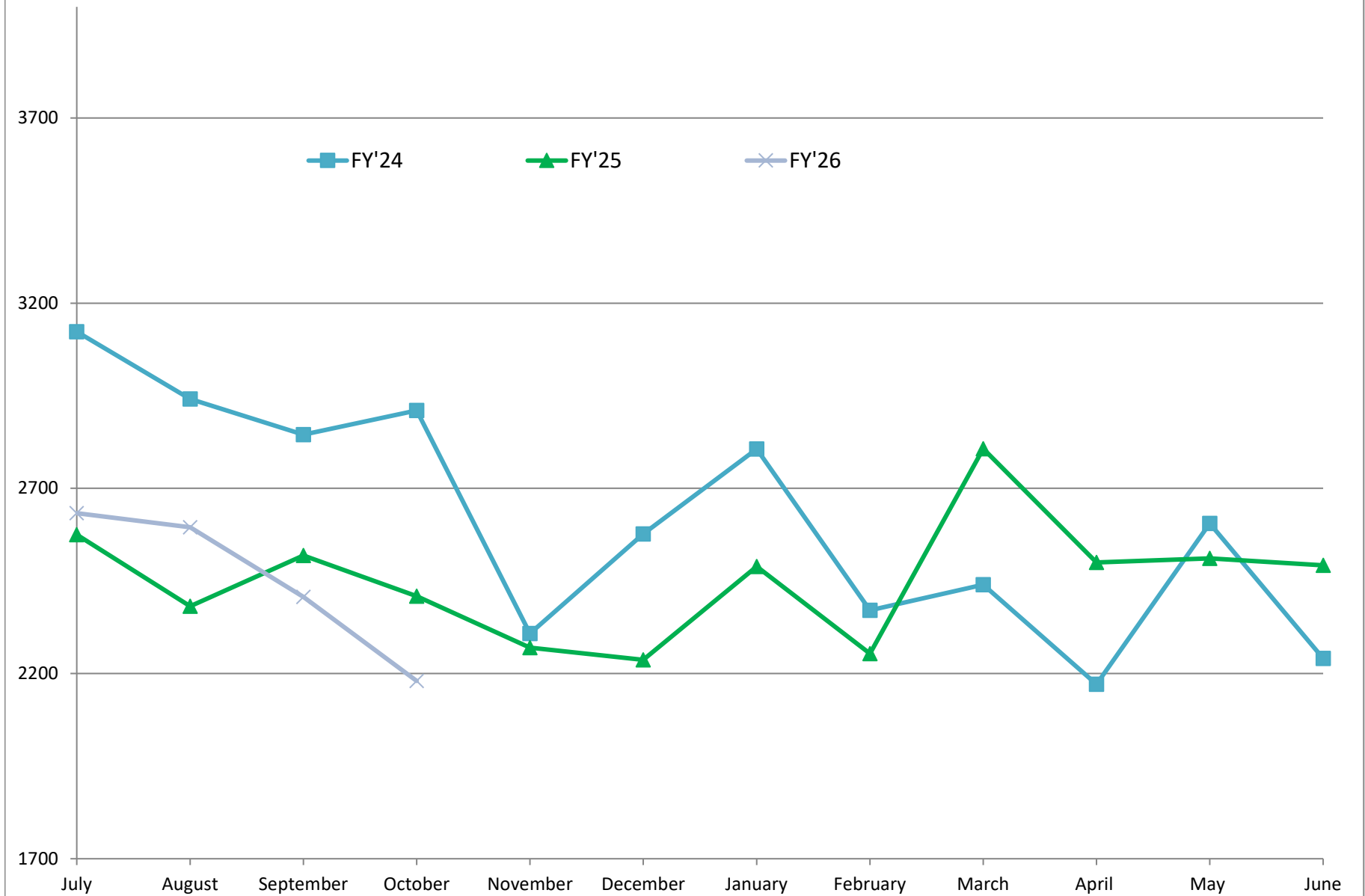
Average Hours per Voucher FYTD



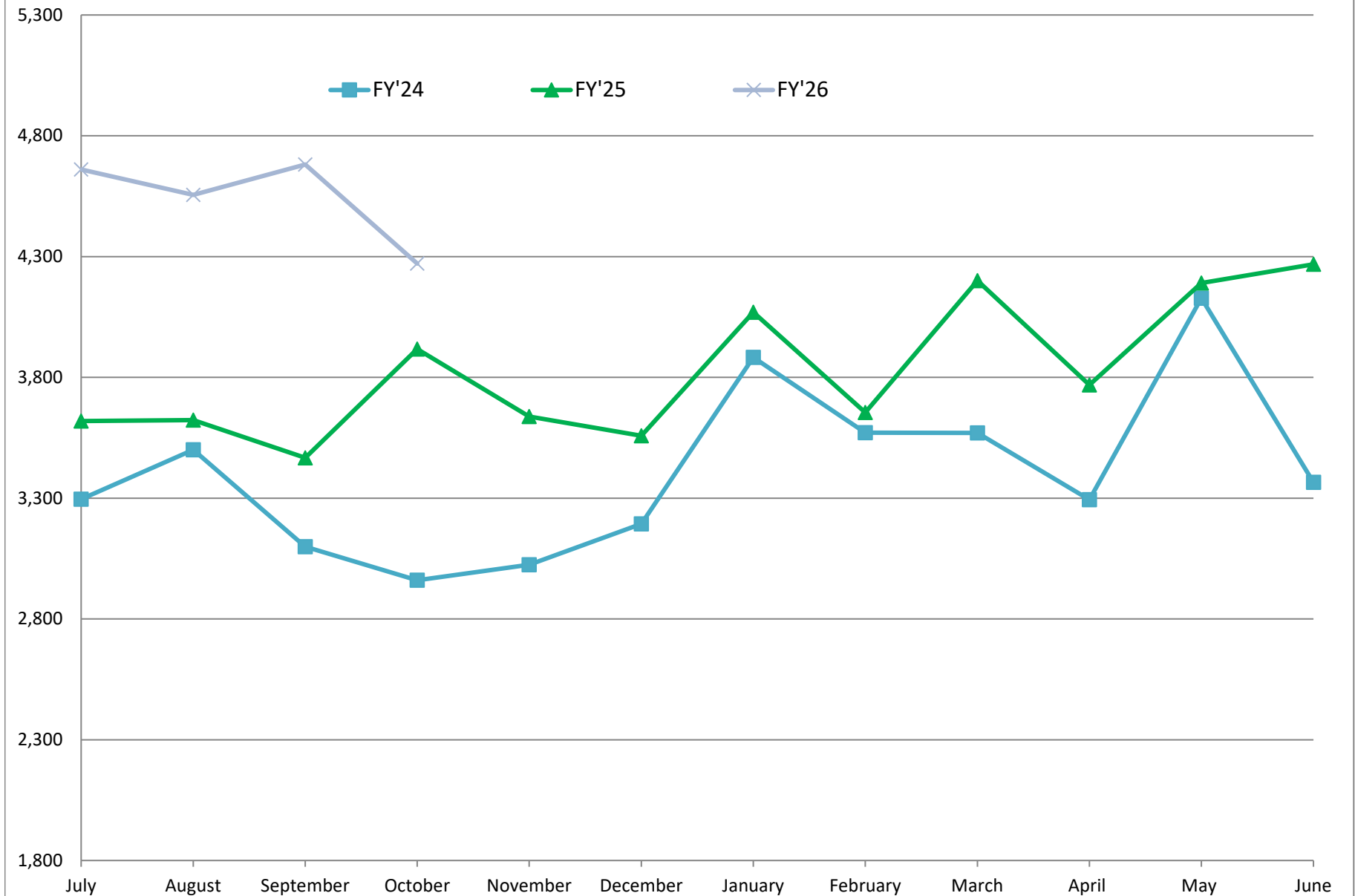
Monthly Average Hours per Voucher



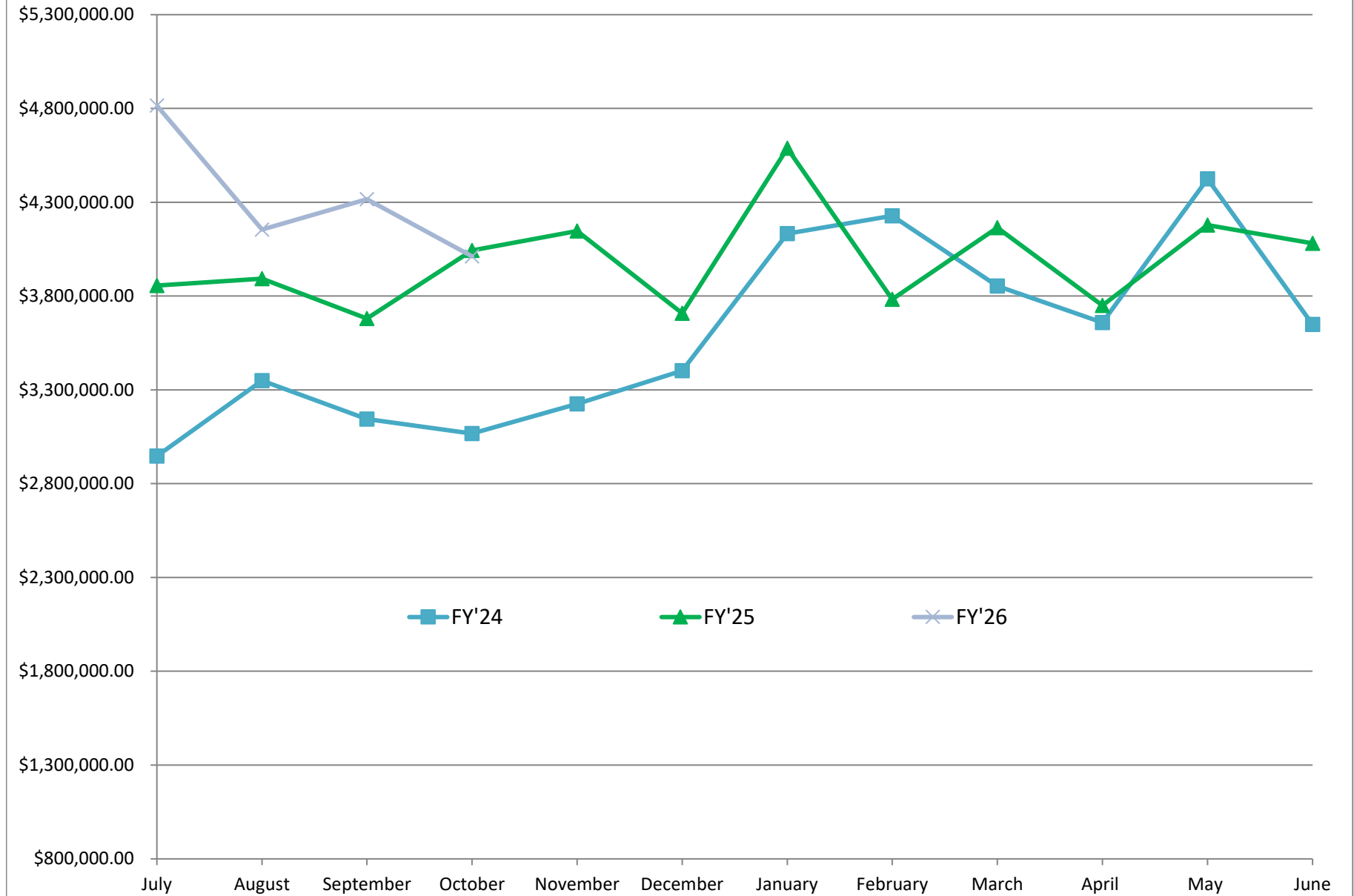
NEW CASES



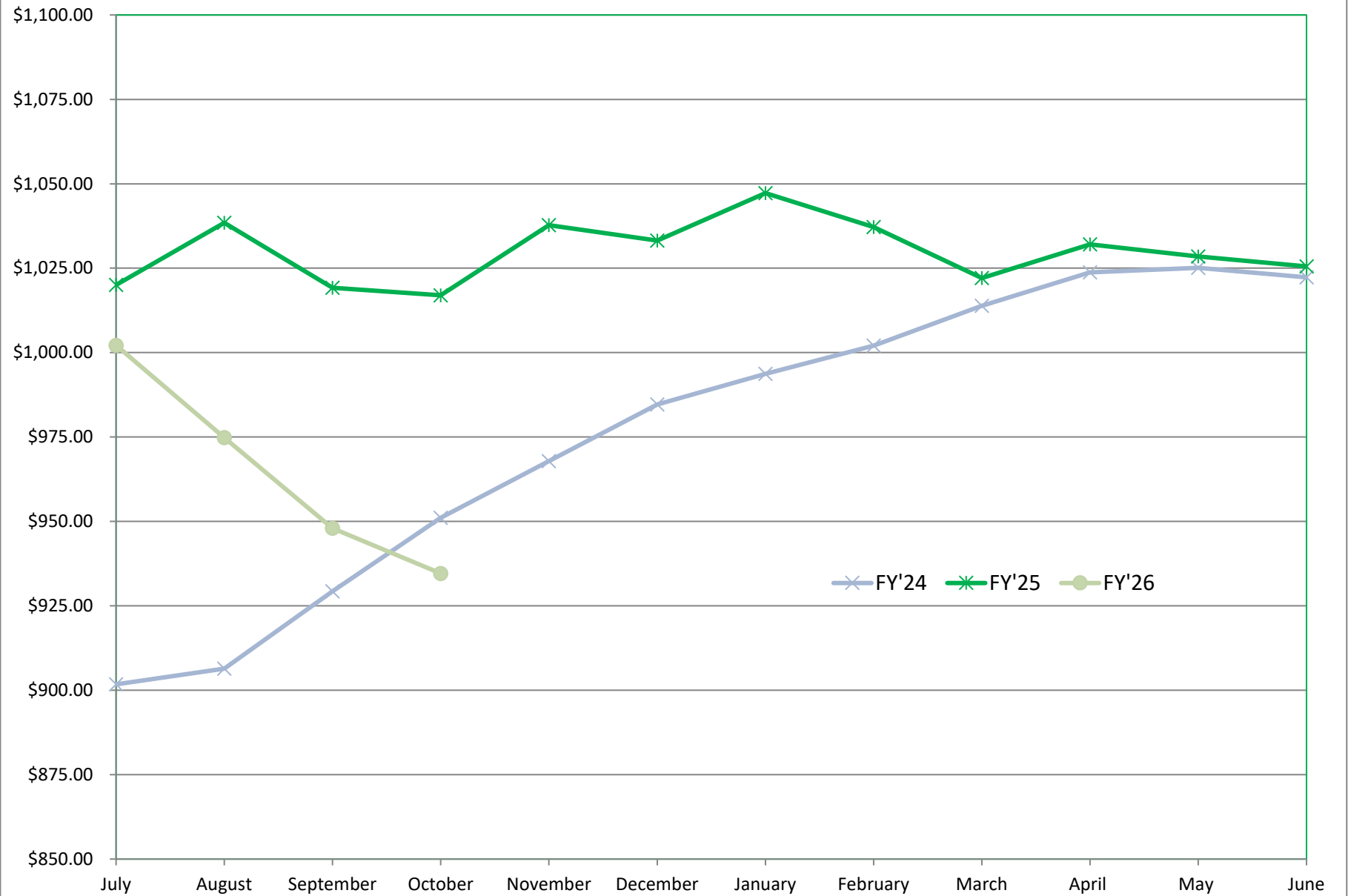
Submitted Vouchers

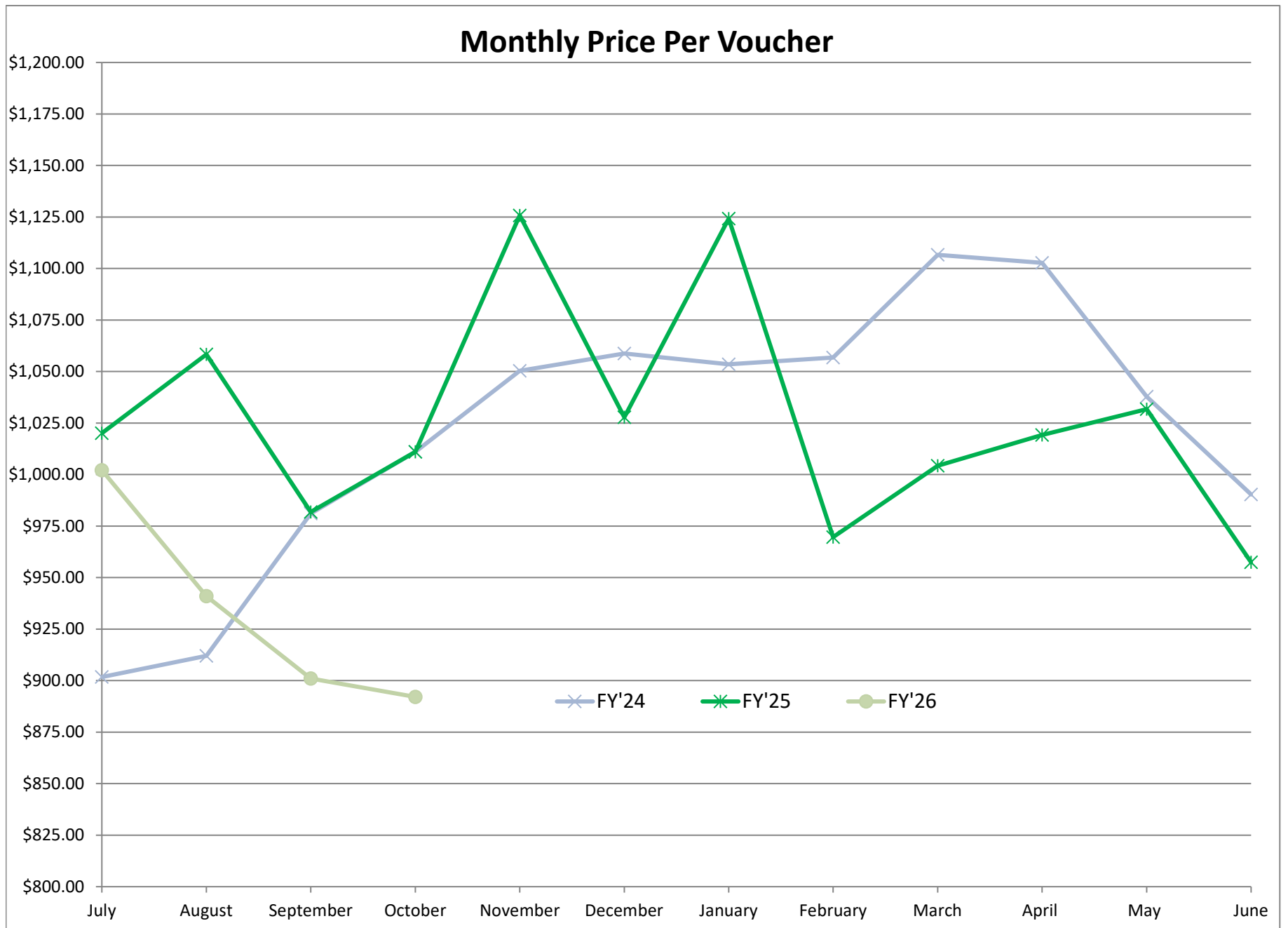


Submitted Voucher Amount



Average Voucher Price Fiscal Year to Date





Pending UCD Cases as of October 24, 2025

UCD	FELONY				MISDEMEANOR				CIVIL VIOLATION			ALL CASES			
	Pending	On DD	No IA	% No IA	Pending	On DD	No IA	% No IA	Pending	No IA	% No IA	Pending	On DD	No IA	% No IA
Androscoggin	762	102	157	20.6%	1,629	188	528	32.4%	39	26	66.7%	2,430	290	711	29.3%
Aroostook	488	110	41	8.4%	766	243	191	24.9%	27	12	44.4%	1,281	353	244	19.0%
Caribou	105	23	12	11.4%	153	44	40	26.1%	7	2	28.6%	265	67	54	20.4%
Fort Kent	54	18	3	5.6%	131	57	39	29.8%	3	3	100.0%	188	75	45	23.9%
Houlton	141	26	7	5.0%	220	69	64	29.1%	11	7	63.6%	372	95	78	21.0%
Presque Isle	188	43	19	10.1%	262	73	48	18.3%	6	0	0.0%	456	116	67	14.7%
Cumberland	1,412	216	107	7.6%	3,259	512	545	16.7%	136	66	48.5%	4,807	728	718	14.9%
Bridgton	21	7	2	9.5%	253	57	63	24.9%	15	8	53.3%	289	64	73	25.3%
Portland	1,378	206	104	7.5%	2,692	395	408	15.2%	87	49	56.3%	4,157	601	561	13.5%
West Bath	13	3	1	7.7%	314	60	74	23.6%	34	9	26.5%	361	63	84	23.3%
Franklin	114	27	19	16.7%	329	93	88	26.7%	11	6	54.5%	454	120	113	24.9%
Hancock	226	33	11	4.9%	416	46	108	26.0%	43	24	55.8%	685	79	143	20.9%
Kennebec	577	109	45	7.8%	1,342	284	276	20.6%	26	21	80.8%	1,945	393	342	17.6%
Augusta	553	102	44	8.0%	873	168	173	19.8%	22	17	77.3%	1,448	270	234	16.2%
Waterville	24	7	1	4.2%	469	116	103	22.0%	4	4	100.0%	497	123	108	21.7%
Knox	238	26	21	8.8%	547	130	153	28.0%	17	10	58.8%	802	156	184	22.9%
Lincoln	193	38	20	10.4%	425	115	86	20.2%	14	3	21.4%	632	153	109	17.2%
Oxford	435	87	83	19.1%	781	179	183	23.4%	23	12	52.2%	1,239	266	278	22.4%
Bridgton	31	13	1	3.2%	50	19	9	18.0%	4	0	0.0%	85	32	10	11.8%
Rumford	8	2	0	0.0%	15	3	3	20.0%	0	0	0.0%	23	5	3	13.0%
South Paris	396	72	82	20.7%	716	157	171	23.9%	19	12	63.2%	1,131	229	265	23.4%
Penobscot	729	35	54	7.4%	1,672	34	527	31.5%	72	32	44.4%	2,473	69	613	24.8%
Bangor	703	35	47	6.7%	1,228	27	332	27.0%	19	6	31.6%	1,950	62	385	19.7%
Lincoln	5	0	4	80.0%	195	2	99	50.8%	38	21	55.3%	238	2	124	52.1%
Newport	21	0	3	14.3%	249	5	96	38.6%	15	5	33.3%	285	5	104	36.5%
Piscataquis	56	0	6	10.7%	90	2	40	44.4%	12	8	66.7%	158	2	54	34.2%
Sagadahoc	151	29	9	6.0%	374	119	60	16.0%	18	2	11.1%	543	148	71	13.1%
Somerset	321	71	18	5.6%	479	125	97	20.3%	6	3	50.0%	806	196	118	14.6%
Waldo	205	31	22	10.7%	381	94	80	21.0%	9	5	55.6%	595	125	107	18.0%
Washington	197	16	13	6.6%	342	55	65	19.0%	27	16	59.3%	566	71	94	16.6%
Calais	87	9	6	6.9%	155	24	31	20.0%	8	4	50.0%	250	33	41	16.4%
Machias	110	7	7	6.4%	187	31	34	18.2%	19	12	63.2%	316	38	53	16.8%
York	759	114	96	12.6%	2,473	649	597	24.1%	79	36	45.6%	3,311	763	729	22.0%
TOTAL	6,863	1,044	722	10.5%	15,305	2,868	3,624	23.7%	559	282	50.4%	22,727	3,912	4,628	20.4%

Columns

Pending	Number of cases having at least one charge without a disposition, and without a currently active warrant.
On DD	Number of pending cases with an Order of Deferred Disposition entered.
No IA	Number of pending cases with a complaint filed, but not having an initial appearance or arraignment held or waived.
% No IA	Percent of pending cases without an initial appearance/arraignment.

Cases are categorized based on the most serious offense charged. Local ordinance violations filed with the court are not included in the reported counts.

Change in Pending UCD Cases, October 2024 to October 2025

Pending cases as of October 24 of each year

UCD	FELONY			MISDEMEANOR			CIVIL VIOLATION			ALL CASES		
	2024	2025	% Diff	2024	2025	% Diff	2024	2025	% Diff	2024	2025	% Diff
Androscoggin	822	762	-7.3%	1,526	1,629	6.7%	11	39	254.5%	2,359	2,430	3.0%
Aroostook	575	488	-15.1%	874	766	-12.4%	40	27	-32.5%	1,489	1,281	-14.0%
Caribou	100	105	5.0%	152	153	0.7%	4	7	75.0%	256	265	3.5%
Fort Kent	94	54	-42.6%	202	131	-35.1%	11	3	-72.7%	307	188	-38.8%
Houlton	155	141	-9.0%	229	220	-3.9%	12	11	-8.3%	396	372	-6.1%
Presque Isle	226	188	-16.8%	291	262	-10.0%	13	6	-53.8%	530	456	-14.0%
Cumberland	1,446	1,412	-2.4%	3,682	3,259	-11.5%	148	136	-8.1%	5,276	4,807	-8.9%
Bridgton	20	21	5.0%	326	253	-22.4%	69	15	-78.3%	415	289	-30.4%
Portland	1,404	1,378	-1.9%	2,910	2,692	-7.5%	60	87	45.0%	4,374	4,157	-5.0%
West Bath	22	13	-40.9%	446	314	-29.6%	19	34	78.9%	487	361	-25.9%
Franklin	134	114	-14.9%	372	329	-11.6%	14	11	-21.4%	520	454	-12.7%
Hancock	310	226	-27.1%	521	416	-20.2%	46	43	-6.5%	877	685	-21.9%
Kennebec	568	577	1.6%	1,419	1,342	-5.4%	32	26	-18.8%	2,019	1,945	-3.7%
Augusta	530	553	4.3%	886	873	-1.5%	27	22	-18.5%	1,443	1,448	0.3%
Waterville	38	24	-36.8%	533	469	-12.0%	5	4	-20.0%	576	497	-13.7%
Knox	208	238	14.4%	555	547	-1.4%	8	17	112.5%	771	802	4.0%
Lincoln	155	193	24.5%	417	425	1.9%	15	14	-6.7%	587	632	7.7%
Oxford	513	435	-15.2%	884	781	-11.7%	15	23	53.3%	1,412	1,239	-12.3%
Bridgton	47	31	-34.0%	69	50	-27.5%	1	4	300.0%	117	85	-27.4%
Rumford	110	8	-92.7%	240	15	-93.8%	4	0	-100.0%	354	23	-93.5%
South Paris	356	396	11.2%	575	716	24.5%	10	19	90.0%	941	1,131	20.2%
Penobscot	739	729	-1.4%	1,772	1,672	-5.6%	78	72	-7.7%	2,589	2,473	-4.5%
Bangor	720	703	-2.4%	1,376	1,228	-10.8%	31	19	-38.7%	2,127	1,950	-8.3%
Lincoln	4	5	25.0%	189	195	3.2%	43	38	-11.6%	236	238	0.8%
Newport	15	21	40.0%	207	249	20.3%	4	15	275.0%	226	285	26.1%
Piscataquis	38	56	47.4%	82	90	9.8%	30	12	-60.0%	150	158	5.3%
Sagadahoc	180	151	-16.1%	391	374	-4.3%	15	18	20.0%	586	543	-7.3%
Somerset	287	321	11.8%	462	479	3.7%	9	6	-33.3%	758	806	6.3%
Waldo	176	205	16.5%	385	381	-1.0%	4	9	125.0%	565	595	5.3%
Washington	134	197	47.0%	261	342	31.0%	27	27	0.0%	422	566	34.1%
Calais	69	87	26.1%	114	155	36.0%	9	8	-11.1%	192	250	30.2%
Machias	65	110	69.2%	147	187	27.2%	18	19	5.6%	230	316	37.4%
York	784	759	-3.2%	2,833	2,473	-12.7%	59	79	33.9%	3,676	3,311	-9.9%
TOTAL	7,069	6,863	-2.9%	16,436	15,305	-6.9%	551	559	1.5%	24,056	22,727	-5.5%

Columns	
2024	Number of cases having at least one charge without a disposition, and without a currently active warrant as of October 24, 2024
2025	Number of cases having at least one charge without a disposition, and without a currently active warrant as of October 24, 2025
% Diff	Percent change in pending cases from 2024 to 2025. Red percentages represent an increase, green percentages a decrease.

Cases are categorized based on the most serious offense charged. Local ordinance violations filed with the courts are not included in the reported counts.

Change in Pending UCD Cases, October 2019 to October 2025

Pending cases as of October 24 of each year

UCD	FELONY			MISDEMEANOR			CIVIL VIOLATION			ALL CASES		
	2019	2025	% Diff	2019	2025	% Diff	2019	2025	% Diff	2019	2025	% Diff
Androscoggin	416	762	83.2%	1,378	1,629	18.2%	27	39	44.4%	1,821	2,430	33.4%
Aroostook	418	488	16.7%	716	766	7.0%	19	27	42.1%	1,153	1,281	11.1%
Caribou	67	105	56.7%	174	153	-12.1%	1	7	600.0%	242	265	9.5%
Fort Kent	49	54	10.2%	131	131	0.0%	5	3	-40.0%	185	188	1.6%
Houlton	130	141	8.5%	158	220	39.2%	10	11	10.0%	298	372	24.8%
Presque Isle	172	188	9.3%	253	262	3.6%	3	6	100.0%	428	456	6.5%
Cumberland	911	1,412	55.0%	2,601	3,259	25.3%	151	136	-9.9%	3,663	4,807	31.2%
Bridgton	12	21	75.0%	177	253	42.9%	49	15	-69.4%	238	289	21.4%
Portland	882	1,378	56.2%	2,107	2,692	27.8%	69	87	26.1%	3,058	4,157	35.9%
West Bath	17	13	-23.5%	317	314	-0.9%	33	34	3.0%	367	361	-1.6%
Franklin	93	114	22.6%	299	329	10.0%	9	11	22.2%	401	454	13.2%
Hancock	194	226	16.5%	494	416	-15.8%	39	43	10.3%	727	685	-5.8%
Kennebec	384	577	50.3%	1,216	1,342	10.4%	45	26	-42.2%	1,645	1,945	18.2%
Augusta	374	553	47.9%	659	873	32.5%	25	22	-12.0%	1,058	1,448	36.9%
Waterville	10	24	140.0%	557	469	-15.8%	20	4	-80.0%	587	497	-15.3%
Knox	160	238	48.8%	349	547	56.7%	5	17	240.0%	514	802	56.0%
Lincoln	105	193	83.8%	241	425	76.3%	10	14	40.0%	356	632	77.5%
Oxford	214	435	103.3%	508	781	53.7%	14	23	64.3%	736	1,239	68.3%
Bridgton	24	31	29.2%	64	50	-21.9%	2	4	100.0%	90	85	-5.6%
Rumford	78	8	-89.7%	209	15	-92.8%	8	0	-100.0%	295	23	-92.2%
South Paris	112	396	253.6%	235	716	204.7%	4	19	375.0%	351	1,131	222.2%
Penobscot	378	729	92.9%	1,140	1,672	46.7%	79	72	-8.9%	1,597	2,473	54.9%
Bangor	370	703	90.0%	905	1,228	35.7%	44	19	-56.8%	1,319	1,950	47.8%
Lincoln	3	5	66.7%	99	195	97.0%	21	38	81.0%	123	238	93.5%
Newport	5	21	320.0%	136	249	83.1%	14	15	7.1%	155	285	83.9%
Piscataquis	20	56	180.0%	49	90	83.7%	8	12	50.0%	77	158	105.2%
Sagadahoc	92	151	64.1%	305	374	22.6%	18	18	0.0%	415	543	30.8%
Somerset	161	321	99.4%	477	479	0.4%	25	6	-76.0%	663	806	21.6%
Waldo	102	205	101.0%	278	381	37.1%	7	9	28.6%	387	595	53.7%
Washington	109	197	80.7%	241	342	41.9%	27	27	0.0%	377	566	50.1%
Calais	52	87	67.3%	115	155	34.8%	15	8	-46.7%	182	250	37.4%
Machias	57	110	93.0%	126	187	48.4%	12	19	58.3%	195	316	62.1%
York	720	759	5.4%	2,604	2,473	-5.0%	110	79	-28.2%	3,434	3,311	-3.6%
TOTAL	4,477	6,863	53.3%	12,896	15,305	18.7%	593	559	-5.7%	17,966	22,727	26.5%

Columns

2019	Number of cases having at least one charge without a disposition, and without a currently active warrant as of October 24, 2019
2025	Number of cases having at least one charge without a disposition, and without a currently active warrant as of October 24, 2025
% Diff	Percent change in pending cases from 2019 to 2025. Red percentages represent an increase, green percentages a decrease.

Cases are categorized based on the most serious offense charged. Local ordinance violations filed with the courts are not included in the reported counts.

DISTRICT DEFENDERS' COMMISSION REPORT

NOVEMBER 2025

Note to the Commission

As discussed in the last commission meeting, the District Defenders have put together this Commission Report for the benefit of MCPDS. While the District Defenders believe it was helpful to give reports on the build out of the offices statewide, as those offices find themselves transitioning toward operation at capacity, it seemed less helpful to present staffing updates to the Commission at monthly meetings. We intend to continue to give those updates within the Commission Report but intend to include more data and narratives relating to trends, issues, and anecdotes from the field that we believe illustrate the obstacles and opportunities before us.

In this report, we have two old-fashioned updates from Casco Bay and Capital Region, as they transition in a new interim District Defender. We also report on dismissals and acquittals from Aroostook and Tri-County.

Lastly, Downeast District Defender Max Coolidge submitted a summary of some of the work he is doing with our lawyers who come "from away" as we reflect on a year of existence.

We will hear from our Highlands office and our Parent's Counsel office next month, as we all get more into the routine of collecting this information for the Commission's review.

-Aroostook District Defender Toby Jandreau

More Acquittals for the Aroostook Public Defenders

With James Hoeffgen and Mackenzie Deveau's client's acquittal in a Class C Domestic Violence Assault case this week, the total number of outright acquittals in Aroostook County by MCPDS employed Assistant Defenders has risen to 11 total in less than 18 months.

In this time period, the team has had two "splits," where the jury returned acquittals on some charges and found the defendant guilty on others.

There have also been two instances of cases being dismissed during trial by either the judge or District Attorney. Add to that one mistrial and that gives the Aroostook team a total of 16 outcomes that were more favorable to the client than when they case was set for trial. That is approximately 84% favorable outcome rate. **Discounting the dismissals, mistrials, and splits the team has a 78% percent acquittal rate.**

19 cases have been taken to trial since July 2024. The Defendants have only been found guilty as charged in three of those cases.

Defenders from Away:

The opening of public defender offices across the state over the past two years has attracted lawyers from other states to rural Maine. The declining population of rural attorneys is an issue the Maine bar has been wrestling with for many years. Offering good paying jobs within State government for lawyers who want to do public defense work has been one of the only initiatives that has attracted significant number of new lawyers to rural Maine. This migration is good for everyone. The immediate effect has been to help with the acute crisis of lack of adequate representation for Mainers facing criminal charges who cannot afford a lawyer. This influx of new lawyers will also have a positive effect on the rural bar.

It can be expected that some of the folks who moved here to practice in our public defender offices will eventually change jobs or go into business for themselves in the communities they have relocated to.

Many of our new defenders have purchased homes in rural communities and their presence will contribute to boosting the broader economy. The lesson is clear: the need is there, and there are talented folks who want to practice law in rural Maine. The solution is for the State to fulfill its existing constitutional responsibility to provide defense for Mainers who cannot afford a lawyer by funding and supporting public defender offices. In the coming weeks, I'll be collecting stories from members of our team who have moved to Maine from another part of the country or who have moved to a rural area of the state from the Portland area. I look forward to sharing these stories with the commission.

-Contributed by Downeast District Defender Max Coolidge



Tri-County Dismissals

The Tri-County Public Defenders report that in the past two months, the office has had dismissals from the DA's office for four clients in serious felony cases. One dismissal was on the eve of trial, one was immediately before a hearing on discovery sanctions, one was in response to a Motion to Suppress, and the last one was for a client whose case had been pending for nearly a year.

This is, of course, cause for celebration, but these dismissals also represent a failure of the State to properly assess their cases in advance. These cases take valuable time and resources away from our offices and the court. While it is usually lost in the discussion, it is important to remember that while a Defendant is awaiting trial, they are most likely in custody or on a restrictive bail where even the most minor deviation from can give rise to new charges of violation of conditions of release.

Aroostook In-Custody Arraignment Trends

This month, the Aroostook office aggregated data from the in-custody arraignment lists received from the court. From November 1, 2024 to October 31, 2025, there were more people seen during in-custody arraignments for Violation of Conditions of Release and Probation Violations/Revocations than people in custody for new stand-alone criminal charges.

This group had no other new criminal charges against them, but were arrested solely on allegations of violating bail or probation. 240 of the 840 people seen in-custody arraignments over that year likely could have been summonsed to appear for their alleged violations of bail or probation.

Capital Region Defenders Update

Capital Region Public Defender attorneys continue to take cases and maintain full caseloads in Kennebec and Somerset counties. We are building up the caseload of our new attorney in order to maximize his capability and have been able to accept DV cases in Somerset County when they lack any other DV rostered attorneys. In Kennebec County, we have been able to take on several cases per week from the in-custody list thereby immediately avoiding cases having to be put on the "counsel needed" list and avoiding further court time at the 7 day counsel review hearings. Two attorneys have jury trials this month in Somerset County. Recent months have been illustrated by small wins in the areas of discovery litigation and favorable outcomes for clients, maybe not such that a newspaper headline is generated but which shift the process for the better for defendants and their counsel in a way that affects results long term on a systemic level.

Casco Bay Defenders Update

Interim District Defender Andrew Dawson reports that Casco Bay Public Defender attorneys are progressively building their caseloads pursuant to their mandate of taking the oldest and/or in custody cases from the uncounseled list. These attorneys are actively working cases, making bail arguments, and filing motions in order to advance their clients' defenses.

Interviews for an open AD I position are taking place starting the week of 11/10 with some very strong applicants. That office is making itself known in Portland and working to become an established presence in Cumberland County. As the office approaches full staffing, we can expect similar systemic progress given the motivated staff we have brought on to date.

Chapter 302: PROCEDURES REGARDING FUNDS FOR EXPERTS AND INVESTIGATORS

Summary: This Chapter establishes the procedures for attorneys ~~and pro se parties~~ to request funds for experts and investigators from the Commission and provides that the Executive Director shall make the determination to grant or deny the request. It also establishes the procedures for payment of expert and investigator services authorized in this Chapter.

SECTION 1. DEFINITIONS

1. Executive Director. "Executive Director" means the Executive Director of the Maine Commission on Public Defense Services or the Executive Director's decision-making designee.
2. PDS or Commission. "PDS" or "Commission" means the Maine Commission on Public Defense Services.
3. Applicant. "Applicant" means the client on whose behalf an attorney submits an application for funds pursuant to this Chapter.
4. Attorney. "Attorney" means the lawyer for the Applicant.
5. Employed Counsel. "Employed Counsel" means an attorney employed by the commission to provide legal services directly to persons who are eligible to receive indigent legal services in civil proceedings.
6. "Public Defender" means an attorney employed by the commission to provide legal services directly to persons who are eligible to receive indigent legal services in criminal and juvenile proceedings.

SECTION 2. APPLICATION FOR FUNDS FOR EXPERT AND INVESTIGATIVE ASSISTANCE

1. ~~1. Who May apply.~~

~~A. Any person who is entitled to representation at state expense under the United States Constitution or the Constitution or laws of Maine and who has been found indigent by a state court or who claims to be without sufficient funds to employ necessary expert or investigative assistance may file, on their own or through their attorney, applications to PDS for funds to obtain~~

~~expert or investigative assistance or both~~ has been appointed or assigned counsel at PDS expense, or who is represented by an Employed Counsel or Public Defender; and

B. Any person who is entitled to representation at state expense under the United States Constitution or the Constitution or laws of Maine who is represented by retained counsel and who is found indigent by PDS.

2. **Application ~~Directed~~ directed to the Executive Director.** An application for funds to obtain necessary expert or investigative assistance or both shall be directed to the Executive Director.

3. **Form and ~~Contents~~ contents of ~~Application~~ application.** The application shall:

A. Be completed on a form designated by the Executive Director~~;~~;

B. Include the case caption ~~-and~~ the docket number;

C. Set forth the date on which the ~~applicant~~ Applicant was found indigent or, if the ~~applicant~~ Applicant has not been found indigent, set forth the basis on which the ~~applicant~~ Applicant claims to be without sufficient funds. For persons ~~not found indigent by a court~~ applying pursuant to Section 2(1)(B), the application shall be supported by an affidavit demonstrating ~~financial need~~ indigency. Said affidavit shall be on the same form used to determine financial eligibility for appointment of counsel;

D. Describe the nature of the proceeding for which assistance is sought, and in proceedings with respect to adult or juvenile crimes, specifically identify the name and class or statutory cite of the most serious charge, or of the charge which is the basis for the request for funds~~;~~;

E. Set forth a clear and concise statement of the reasons why the assistance is necessary for adequate presentation of the ~~applicant~~ Applicant's claim or defense; ~~and~~

F. Set forth a clear and concise statement as to the work that will be done by the expert and/or investigator~~;~~ and

F.G. Itemize the total amount of funds being requested, the vendor's rate, and any anticipated expenses that may be paid out of the funds.

4. **Parameters for requests.**

A. Requests for funds must be submitted before the expert or investigator begins work on the case.

B. The request for funds should encompass all anticipated funds that will be needed for the expert or investigator's work to be completed.

a. For interpreters and translators, attorneys should estimate the total cost for the services for the life of the case, as opposed to separate requests for each instance in which the interpreter or translator will perform work.

b. When it is probable that an expert or investigator will be needed for a court appearance, the request for funds should include the total anticipated costs needed to pay for the expert or investigator's services through disposition of the case.

4.

5. Electronic ~~f~~Filing ~~p~~Permitted. The application must be filed with PDS according to the procedure directed by the Executive Director. Any procedure developed by the Executive Director shall be designed to protect privileged information from disclosure, and to promote the efficient handling of funds requests by Commission staff.

A. *Repealed.*

B. *Repealed.*

C. *Repealed.*

SECTION 3. DETERMINATION BY THE EXECUTIVE DIRECTOR

The Executive Director shall review the application and the grounds therefore and, in the Executive Director's sole discretion, shall either grant the funds applied for, in whole or in part, or deny the application. When granting an application in whole or in part, the Executive Director may condition the expenditure of funds as set forth in PDS Rule Chapter 301 ~~, Fee Schedule and Administrative Procedures for Payment of Commission Assigned Counsel,~~ and other PDS procedures. The determination of the Executive Director shall be in writing and may be communicated to the ~~applicant~~Attorney by electronic means.

SECTION 44. ~~PAYMENT FOR EXPERT OR INVESTIGATIVE ASSISTANCE~~PROCEDURE AFTER APPLICATION GRANTED

1. After an application for funds is granted, the attorney must:

A. Ensure the expert or investigator has a State of Maine Vendor Code, or is aware of the process for applying for one;

B. Provide the expert or investigator a copy of the funds authorization;

- C. Inform the expert or investigator that PDS is only guaranteeing payment for services up to the amount authorized at the rate authorized; and
- D. Inform the expert or investigator that:
- a. Any travel expenses incurred must be within the applicable rates set by the Government Service Administration;
 - b. Mileage incurred in Maine is reimbursable up to the rate set by the State of Maine Office of State Controller;
 - c. PDS will not reimburse for travel insurance, cancellation protection, or the like; and
 - d. Absent extenuating circumstances, PDS will not reimburse for first class airfare or seat upgrades.
- E. Upon receipt of an invoice for services for which the expenditure of funds has previously been authorized, the ~~applicant or the applicant's~~ Attorney shall forward the invoice to PDS for processing and payment, together with the relevant authorization.
- F. -Attorneys shall comply with ~~all~~ny procedures established by the Executive Director. The ~~applicant or the applicant's~~ Attorney must state that the services were satisfactory and that all applicable reports and other information have been received. The ~~applicant or the applicant's~~ Attorney ~~should~~must review the invoice to verify that it conforms to PDS requirements and that the appropriate rates for services and mileage were billed. The ~~applicant or the applicant's~~ Attorney is not required by the Commission to advance funds to investigators or other service providers, subject to any professional conduct requirements. The ~~applicant~~ Attorney should ~~make every effort to~~ ensure that the ~~service provider~~expert or investigator includes a State of Maine Vendor Code number on each invoice.
- G. Failure of the Attorney to submit an invoice for expert or investigative services to PDS within 10 calendar days of receiving a complete and accurate invoice from the expert or investigator may result in non-payment of the attorney's vouchers until the attorney submits the invoice to PDS.

SECTION 5. Transition

Repealed.

STATUTORY AUTHORITY:

4 M.R.S. §§ 1804(2)(G), (3)(A) and (4)(D)

EFFECTIVE DATE:

August 21, 2011 – filing 2011-284

AMENDED:

August 1, 2021 – filing 2021-150

September 1, 2024 – filing 2024-207

94-649 MAINE COMMISSION ON ~~INDIGENT-LEGAL~~PUBLIC DEFENSE SERVICES

Chapter 303: PROCEDURES REGARDING LEGAL RESEARCH ACCESS AND MATERIALS

Summary: This Chapter establishes the procedures for attorneys to request access to legal research services and to request PDS purchase of or reimbursement for the purchase of legal research materials.

SECTION 1. DEFINITIONS

1. Executive Director. "Executive Director" means the Executive Director of the Maine Commission on ~~Indigent-Legal~~Public Defense Services or the Executive Director's decision-making designee.
2. MCILSPDS or Commission. "MCILSPDS" or "Commission" means the Maine Commission on ~~Indigent-Legal~~Public Defense Services.
3. Legal Research Services. "Legal Research Services" means a subscription based online provider of access to primary and/or secondary legal research materials. For the purpose of this ~~-rule~~Chapter, "Legal Research Services" are limited to the provider(s), if any, with which MCILSPDS has contracted to provide those materials.
4. Legal Research Materials. "Legal Research Materials" means other written or electronic materials an ~~eligible-attorney~~Eligible Attorney deems necessary to support the representation of a consumer of indigent legal services.
5. ~~Eligible Attorney~~Eligible Attorney. For the purpose of this ~~rule~~Chapter, "~~Eligible Attorney~~Eligible Attorney" means a Maine licensed attorney in good standing with the Board of Overseers of the Bar, ~~to whom~~who is ~~is or was~~ assigned to represent a consumer of indigent legal services in a matter approved by MCILSPDS.
6. Consumer of Indigent Legal Services. "Consumer of Indigent Legal Services" means a person entitled to representation at ~~state~~PDS expense under the United States Constitution or the Constitution or laws of Maine and who has been found indigent or partially indigent by a state court or by MCILSPDS.

SECTION 2. ACCESS TO LEGAL RESEARCH SERVICES

1. Any ~~eligible-attorney~~Eligible Attorney may apply to MCILSPDS for access to legal research services. If MCILSPDS grants that ~~eligible-attorney~~Eligible Attorney access to legal research services, those services shall be used exclusively for the benefit of Consumers of Indigent Legal Services.
2. Access to legal research services may be granted from month-~~to-~~month and shall be limited to those ~~eligible-attorney~~Eligible Attorneys who bear present professional responsibility for one or more matters on behalf of at least one eConsumer of Indigent Legal Services.
3. ~~Eligible-attorney~~Eligible Attorneys shall not access MCILSPDS contracted legal research services when an attorney does not bear present professional responsibility for one or more matters on behalf of at least one Consumer of Indigent Legal Services.
4. ~~Eligible-attorney~~Eligible Attorneys who have received access to MCILSPDS contracted legal research services shall inform MCILSPDS if ~~an-attorney~~they no longer bears ~~present~~ professional responsibility for one or more matters on behalf of at least one Consumer of Indigent Legal Services within seven calendar days of the conclusion of the attorney's representation of their last Consumer of Indigent Legal Services. At that time, MCILSPDS ~~may-will~~ terminate access to its legal research provider for that attorney.
5. As a condition of use of MCILSPDS contracted legal research services, each ~~eligible-attorney~~Eligible Attorney agrees to log the client for whom that attorney accesses that service in the manner prescribed by MCILSPDS, including through the service itself, if so directed.
6. ~~Eligible-attorney~~Eligible Attorneys who wish to be granted access to MCILSPDS contracted legal research services shall apply in the manner directed by the Executive Director, which may include a prescribed form and may also include a directive to apply through the MCILSPDS secure website.

SECTION 3. APPLICATION FOR PDS PURCHASE OF OR REIMBURSEMENT FOR THE PURCHASE OF LEGAL RESEARCH MATERIALS

1. Any ~~eligible-attorney~~Eligible Attorney may apply to MCILSPDS in the manner prescribed by the Executive Director for permission to purchase legal research materials that attorney deems necessary to support the representation of a consumer of indigent legal services.
2. The Executive Director may approve the PDS purchase of ~~for reimbursement for the purchase of~~ legal research materials by an ~~eligible-attorney~~Eligible Attorney if the Executive Director finds that the proposed purchase is reasonably necessary to support the representation of a Consumer of Indigent Legal Services.

3. The application for ~~permission~~ PDS purchase of or reimbursement for the ~~to~~ purchase of legal research materials shall be made in writing in the manner directed by the Executive Director, which may include a prescribed form and may also include a directive to apply through the MCILSPDS secure website.
4. The Executive Director shall review the application and the grounds therefore and, in the Executive Director's sole discretion, shall either grant the funds applied for, in whole or in part, or deny the application. When granting an application in whole or in part, the Executive Director may condition the expenditure of funds as set forth in MCILSPDS Rule Chapter 301, ~~*Fee Schedule and Administrative Procedures for Payment of Court or Commission Assigned Counsel*~~, and other MCILSPDS procedures. The determination of the Executive Director shall be in writing and may be communicated to the applicant by electronic means.
5. ~~If the Executive Director approves the application, PDS will—when practical—purchase the legal research materials on behalf of the Eligible Attorney and notify the attorney of the same. If it is impossible or impractical for PDS to purchase the approved legal research materials, only then will the Executive Director grant permission for the Eligible Attorney to purchase the materials and be reimbursed by PDS.~~
- 5.6. ~~Eligible attorney~~ Eligible Attorneys who wish to be reimbursed for the purchase of legal research materials for which permission has been granted by the Executive Director pursuant to Section 3(5) herein shall seek reimbursement by providing the following documents in .pdf form:
 - a. The request upon which the Executive Director acted;
 - b. The decision of the Executive Director; and
 - c. Either payment confirmation from the vendor specifying the product purchased and the amount paid, or an invoice and proof of payment.
- 6.7. ~~Retroactive requests for reimbursement shall not be granted except in extraordinary circumstances on a showing that for reasons outside of that attorney's control, a timely request could not be made.~~
- 7.8. ~~Purchases made prior to the effective date of this rule shall not be subject to reimbursement.~~

STATUTORY AUTHORITY:

4 M.R.S. §§ 1804(2)(G), (3)(A) and (4)(D)

EFFECTIVE DATE:

November 12, 2022 – filing 2022-222