

**MAINE COMMISSION ON
PUBLIC DEFENSE SERVICES**

August 26, 2024

**Commissioner's
Meeting Packet**

MAINE COMMISSION ON PUBLIC DEFENSE SERVICES

AUGUST 26, 2024 MEETING AGENDA

- 1) Approval of the July 22, 2024 Commission Meeting Minutes
- 2) Executive session
- 3) Report of the Executive Director
 - a. Operations report
 - b. Public Defender staffing and office report
- 4) Biennial budget discussion
- 5) Review of recommended decision, *In re Daniel Feldman*
- 6) Rulemaking discussion – Chapter 5
- 7) Set Date, Time and Location of Next Regular Meeting of the Commission
- 8) Public Comment

**Maine Commission on Public Defense Services – Commissioners Meeting
July 22, 2024
Meeting Minutes**

Commissioners Present: Michael Carey, Roger Katz, David Soucy, Randall Bates, Kimberly Monaghan, and Josh Tardy.

PDS Staff Present: Executive Director Jim Billings and Deputy Executive Director Ellie Maciag.

Agenda Item:	Discussion/Outcome:
Public Hearing- Chapter 3 (Emergency Rulemaking)	<p>Chair Pro Temp Carey commenced the public hearing.</p> <p>Executive Director Billings summarized the proposed changes: these proposed changes are an attempt to address the shortage of attorneys. This objective is to encourage attorneys to apply for a waiver under Chapter 3. We're doing this, in part, because there has been talk of judges making off-roster appointments. There are three main changes: increase the waiver flexibility by expanding the Executive Director's discretion to grant waivers for both years of practice experience and litigation experience, only require at least one year of criminal defense practice, and allow references written by attorneys from within the applicant's law firm.</p> <p><u>Comments in favor:</u> None.</p> <p><u>Comments against:</u></p> <p><u>Tina Nadeau, Esq.:</u> This is a bad idea. Automatically allowing people with only one year of criminal defense experience to represent someone who can go to prison for life is a bad idea. I struggle to see the need for this unless there's a line of former prosecutors banging on the door to become rostered for specialized panels. It looks like the Commission is retreating to plugging holes instead of focusing on high-quality legal services. There is not a prosecutor handling murder cases with fewer than 20 years of experience. We have plenty of attorneys taking homicide cases. Why are we making it easier for people to get rostered? We can't lower standards just because we are in a crisis. A significant amount of the cases that need counsel are not specialized cases. This is not the appropriate response. Our clients deserve the best. The Commission is statutorily tasked with ensuring high-quality representation. Reducing the standard to people with one year of criminal defense experience is</p>

Agenda Item:	Discussion/Outcome:
	<p data-bbox="506 235 1816 337">appalling. We're not that desperate. This is a response to a crisis that was created by too many cases in the system. Lowering the standards for attorneys representing people charged with the most serious cases is not the answer.</p> <p data-bbox="506 380 1816 667"><u>Robert Ruffner, Esq.</u>: Echoed what Attorney Nadeau said. I just looked at the list of cases needing counsel. Many of them are not specialized cases. If there are attorneys who want to take cases but do not qualify for specialized case types, they could take cases off that list that do not require Chapter 3 eligibility. There is no corresponding allocation of resources to ensure the quality of this change. I do not see how this will improve the situation. If the counsel needed list was exclusively clients charged with specialized case types, then this change could address that, but it is not. I question what is driving this. There is also no sunset provision; this change will not expire automatically, so these changes will enshrine in the Rule even when this crisis abates.</p> <p data-bbox="506 709 1816 1036"><u>Justin Andrus, Esq.</u>: Echoed the comments by Attorneys Nadeau and Ruffner. I want to add a systemic-level concern. I want to remind the Commission how we got where we are. In 2020, the Commission was under assault—rightfully so—regarding its bookkeeping practices and its ability to ensure the delivery of high-quality indigent legal services. In February of 2021, we repeatedly warned that ensuring the delivery of high-quality indigent legal services would lead to the need for more attorneys. The Commission does not yet have adequate training or supervision standards. The Commission is not yet guaranteeing that representation is what it needs to be. There is no pool of lawyers who want to take these cases. There is a surplus of cases relative to the available attorneys. I urge you not to do this.</p> <p data-bbox="506 1078 1031 1105"><u>Comments neither for nor against</u>: None.</p> <p data-bbox="506 1148 1719 1182"><u>Chair Pro Temp Carey</u>: Asked AAG Hudson-MacRae about the process for an emergency rule.</p> <p data-bbox="506 1224 1816 1365"><u>AAG Hudson-MacRae</u>: This is an emergency rule so it would only be in effect for 90 days. As far as process, the Commissioners should discuss any comments they received and then vote. There will not be an additional period for comment. You would vote today because this is emergency rulemaking. When the rule expires, the rule would go back to the rule that is currently in effect.</p>

Agenda Item:	Discussion/Outcome:
	<p>Commissioner Alexander joined the meeting.</p> <p><u>Discussion:</u></p> <p><u>Commissioner Katz:</u> Asked AAG Hudson-MacRae about the timeline for regular rulemaking. AAG Hudson-MacRae responded.</p> <p><u>Commissioner Katz:</u> Asked whether regular rulemaking could be completed by the time the emergency rule expired. AAG Hudson-MacRae said that it would be possible, though it would be a short timeframe.</p> <p><u>Commissioner Tardy:</u> Asked Executive Director Billings whether there is anything in the proposed rule that would permit someone with just one year of experience to be approved for a serious felony. Executive Director Billings replied that it still requires the same number of years of criminal law practice. For homicides, that would be five years. Theoretically, someone could ask for a waiver of the years of practice requirement.</p> <p><u>Commissioner Tardy:</u> Asked Executive Director Billings whether he knows of any attorneys who wanted to be on a specialized panel but did not qualify. Executive Director Billings replied that there was an attorney in Augusta who could not meet either the years of practice or litigation experience requirements for a panel. Executive Director Billings felt that the attorney was qualified but could not grant them a waiver for both requirements. Fortunately, the attorney was able to secure co-counsel.</p> <p><u>Commissioner Tardy:</u> Asked Executive Director Billings how the statement of emergency ties into the timeline for hiring employed counsel.</p> <p><u>Executive Director Billings:</u> The District Defender position for the Androscoggin/Oxford/Franklin region and it is posted for the Hancock region. Those positions can't be filled until August 12th. There's some question as to whether we will be able to post the positions for line attorneys by August 12th. For the Bangor office, we have hired the District Defender and have interviewed a lot of candidates. We had to report the ADI position. We think we will be able to fill all three ADII positions. For the Caribou office, we have a District Defender, two ADIs and an ADII who have accepted positions.</p>

Agenda Item:	Discussion/Outcome:
	<p data-bbox="506 235 1255 267">Executive Director Billings read the emergency statement.</p> <p data-bbox="506 310 1822 451"><u>Commissioner Katz:</u> Asked Executive Director Billings whether it is his intention to ask the Commission to make this rule permanent, beyond 90 days. Executive Director Billings replied said he wants to see how this goes for 90 days and see if it has any effect on the crisis. Just because these changes won't fix everything, it doesn't mean we shouldn't try.</p> <p data-bbox="506 493 1822 634"><u>Commissioner Burbank:</u> Asked how many requests for waiver have been denied. Executive Director Billings replied that one waiver was denied. Commissioner Burbank asked if that person could take cases with co-counsel. Executive Director Billings replied that they are taking cases with eligible co-counsel.</p> <p data-bbox="506 677 1822 964"><u>Commissioner Burbank:</u> Regarding the change concerning termination of parental rights, I don't think an attorney would be appointed to a TPR without having had at least 6 months of experience representing parents. I have heartburn about understanding why lawyers in Maine, in this relatively small community which has great networking opportunities, are having trouble getting references from lawyers who don't practice with them. Are attorneys complaining that they can't find three lawyers to give them a reference? Executive Director Billings said that people have complained about that provision of the rule, but they have not identified a reason why. But people are complying with that provision of the rule.</p> <p data-bbox="506 1006 1822 1391"><u>Commissioner Burbank:</u> I understand the concept of wanting to be able to measure whether a change I the rule is effective. My concern is that your measuring tool is measuring a thing that the rules were never intended to accomplish. The intent of the rule is not to accomplish an increase in the number of lawyers available to represent people. The rules are intended to accomplish providing quality representation to defendants. Regardless of whether the rule changes the number of attorneys available to take cases, that does not tell us that the rule was effective. It simply tells us that we're willing to have lawyers who may not be as qualified as lawyers who were qualified to take cases under the rules currently in effect. Our rules will be determined to be effective if we can demonstrate that we have high-quality counsel via outcomes and feedback from clients and stakeholders. If we have concerns about someone who is applying to be a lawyer to do this work, then we need the tools to not allow them to do so.</p>

Agenda Item:	Discussion/Outcome:
	<p data-bbox="506 235 1816 706"><u>Commissioner Soucy:</u> I can't support the proposed rule on an emergency basis, or otherwise. Changing these rules will not have a significant effect on the number of attorneys but will impact quality assurance. We need to be mindful that our current rules must address real quality concerns. We can't abandon those concerns. The rules are not much of an obstacle. Lots of attorneys who are qualified jump off and on rosters as they are able. They are not off the roster because they aren't qualified, because they are. We should not view these rules as an obstacle; we should view them as a step up. They provide opportunities for training, mentorship, etc. There simply aren't enough lawyers in much of Maine. The only solution to that is to expand PDS in those areas. We ought to ask lawyers themselves why they aren't doing this work. And we did last fall, which resulted in the burnout survey. Finally, we should consider whether there will ever be enough lawyers who can handle the ever-growing number of poor defendants. We have made the court the gateway for people with substance use and mental health issues. We waste millions of dollars trying to deal with these issues in the court system.</p> <p data-bbox="506 743 1816 889"><u>Chair Pro Temp Carey:</u> We need to balance the constitutional and statutory requirements. The rules are only one tool we have. The emergency standard is different than what we would do long-term. I am predisposed to vote in favor of the proposed rule. I would propose a requirement that two of the five years of practice experience must be criminal defense experience for Homicide cases.</p> <p data-bbox="506 927 1816 1291"><u>Commissioner Alexander:</u> I think Chapters 2 and 3 have real issues and drive people away who are otherwise qualified. We should eliminate entirely the criminal defense experience requirement. Attorneys who have done a lot of prosecution work have much more jury trial experience than anyone else. We also need to recognize that civil jury trials should count. We should also recognize that the Legislature rejected our proposal to ban attorneys who do trial work from doing appeal work in child protective cases. Our employment application says that attorneys who do trial work are expected to do appellate work, but that is contrary to our rules. I do not understand how this even passed the AG's formal legality review because the Legislature had specifically rejected the proposal to prohibit attorneys from continuing to represent a client on appeal when they represented the client at the trial-level.</p> <p data-bbox="506 1328 1816 1399"><u>Commissioner Burbank:</u> Is there something in the employment application that says that an applicant must be prepared to handle their own appeals, or appeals generally? Commissioner Burbank requested</p>

Agenda Item:	Discussion/Outcome:
	<p>a copy of the employment application.</p> <p><u>Commissioner Bates:</u> Echoed what Commissioner Soucy said. As a nonvoting member, I would not vote for this. This is not addressing the bulk of our problem, which still exists.</p> <p>Chair Pro Temp Carey moved to adopt the rule. Seconded by Commissioner Katz. Chair Pro Temp Carey moved to amend the proposed rule to require two years of criminal defense experience instead of just one.</p> <p>Commissioner Alexander moved to remove the requirement that an attorney have one year of criminal defense experience for Sex Offenses. Chair Pro Temp Carey seconded that motion. A straw panel was taken, and the motion did not proceed.</p> <p>Commissioner Alexander moved to allow civil juries to satisfy the trial requirements for each of the panels except the Homicide panel. Seconded by Chair Pro Temp Carey.</p> <p><u>Commissioner Katz:</u> I'm sympathetic to Commissioner Alexander's request, but I don't think there has been sufficient notice to the public about these proposed changes.</p> <p>A straw poll was taken regarding Commissioner Alexander's motion. The motion failed.</p> <p>Commissioner Alexander moved to remove the prohibition on the trial lawyer in a child protective case continuing representation in the appeal. A straw poll was taken, and the motion failed.</p> <p><u>Chair Pro Temp Alexander:</u> There is a motion on the table to adopt the proposed rule with the amendment to change the requirement for criminal defense experience to two years for Homicide cases.</p> <p><u>Commissioner Alexander:</u> We're making minor changes to a rule that requires major changes. I cannot support this change with only minimal changes where major changes are needed to invite more attorneys to take these cases. The rule we're adopting is superficial.</p>

Agenda Item:	Discussion/Outcome:
	<p>A vote on the motion to adopt the proposed rule, with the amendment to change the requirement for criminal defense experience to two years for Homicide cases, was taken. Commissioners Katz, Monaghan, and Tardy, and Chair Pro Temp Carey voted in the affirmative. Commissioners Alexander and Soucy voted in the negative. The motion passed 4-2.</p> <p>Chair Pro Temp Carey moved to adopt the emergency basis statement. Commissioner Katz seconded. No discussion. Commissioners Katz, Monaghan, Alexander, Tardy, and Chair Pro Temp voted in the affirmative. Commissioner Soucy voted in the negative. The motion passed 5-1.</p>
Approval of the June 11 & 13, 2024 Meeting Minutes	<p>Chair Tardy resumed his role as Chair. Commissioner Carey left.</p> <p>Commissioner Katz moved to approve the minutes, seconded by Chair Tardy. No discussion. All voted in favor.</p>
Report of the Executive Director	<p>Executive Director Billings provided the following report:</p> <p><u>Operations Report:</u> Of the 161 rostered attorneys, 37 are accepting trial-level child protective cases and 38 are accepting trial-level adult criminal cases. I assume the rest were taking LOD assignments.</p> <p><u>Voucher Amounts:</u> Voucher amounts are up as most or all vouchers reflect the \$150 rate. We had approximately 300,00 billable hours in FY24. There was a 15-16% increase in hours over FY23. We continue to see about 75% differential in felony cases pending in the system looking back to 2019, which is holding steady.</p> <p><u>Recruitment:</u> There are new attorneys coming into the system. The rate has increased drastically. We are averaging about one and a half new Chapter 2 and five Chapter 3 applicants monthly up until March of 2023 when the rate increased to \$150. Looking only at the 2024 calendar year, we are up to an average of 4.2 Chapter 2 and seven new Chapter 3 applications per month. This continues to grow. In June, we had seven new Chapter 2 and eleven new Chapter 3 applications. The rate increase and outreach have had a positive impact.</p>

Agenda Item:	Discussion/Outcome:
	<p>LMS Proctored Replays: The Commission previously voted to require that MSTs be proctored. This has required staff to frequently conduct proctored replays. The Commission agreed that staff could begin using Talent LMS in lieu of proctoring replays of minimum standards trainings.</p>
Budget	<p><u>Executive Director Billings:</u> We should ask for the 35 public defender office positions on an emergency basis. It is important to get those last three offices authorized and up and running as soon as possible. We expect that, this fall, we are going to have the Lewiston and Ellsworth offices open. Instead of waiting for 90 days after the session closes, it could put us into October of 2025 before we have authorization for those three offices. If we can get the positions on an emergency basis, we could turn our attention to those offices in January of 2024.</p> <p>We need a ready-made progression through our system to replace outgoing district defenders. We are also asking for ADI/II positions. We want to get away from having to name specific ADI/IIs for each office. It is difficult to know how many of each level we can get at each office. It varies from region to region. This change will give us more flexibility.</p> <p>Parents Counsel Division: We have posted a statewide Parents Counsel Division Chief. There are only six rural defender positions that can eventually be converted to employed parents counsel positions. We are requesting 25 ADI/IIs (in addition to the six that will be converted from the RDU). That would be enough to staff half the PC cases with one attorney.</p> <p>PCR Division: It is an important component of our supervision structure.</p> <p>Systems: Asking for a support staff position for the new in-house IT tech wizard guru.</p> <p>Chair Tardy asked what the total budget ask will be. Executive Director Billings said that he is still calculating that, but it will be a huge amount.</p> <p><u>Executive Director Billings:</u> There will be a time in which we are paying assigned counsel for prior work and paying public defenders at the same time.</p>

Agenda Item:	Discussion/Outcome:
	<p><u>Commissioner Burbank:</u> I strongly support the idea that there should be flexibility in determining the level of positions for ADI/IIs.</p> <p><u>Executive Director Billings:</u> We do not need a vote right now but will need a vote in August. We should ask for all of this in the biennium. We need to have a vacant position for every intern we want to employ and pay. We are asking for 20 intern positions that will be rotating. Without having those positions authorized, it is very difficult to hire interns and pay them a stipend. We are also proposing to ask the Legislature for 100,000 hours at \$150/hour as a way to pay an extra \$50/hour to attorneys who are willing to take cases of specific types or specific locations.</p> <p><u>Commissioner Bates:</u> My initial thought about the stipend is that it is suspect, unworkable, and doesn't rightly address the issue. By the next meeting, I could have a list of people who have a full caseload but are still willing to do the very hard work of LOD. If I hear one more time that LOD work is easy, I will cry on camera.</p> <p><u>Executive Director Billings:</u> We are also asking for funding for the Rural Practice Clinic. The funding for the Law School has not materialized. We want to see that program continue. We spoke with Chris Northrop, who runs the Clinic, about the students at the Fort Kent clinic working with the Caribou Public Defender Office. The rural practice clinics present good recruitment opportunities. We are looking at increasing the ADII salaries.</p>
Chapter 5	<p><u>Executive Director Billings:</u> We made changes to the proposed rule based on public comment and circulated it to those who submitted public comment. Staff will present an updated version of the proposed rule at the August meeting.</p>
Public Comment	<p><u>Robert Ruffner, Esq.:</u> Currently, it is very difficult for students to do criminal defense work as student attorneys. My office had 10 interns this summer from colleges and law schools. My office is an ABA-approved firm. I encourage Jim and Ellie to renew the request for the Law Court to permit student attorneys to work on cases in private firms. There is an ongoing issue with courts appointing attorneys who are not rostered. An attorney in my office was appointed to a case while they were on vacation and not on the roster. Another attorney volunteered to take a violation of bail case but was also appointed to an additional case without consent.</p>

Agenda Item:	Discussion/Outcome:
Adjournment	The next meeting will be held on August 26, 2024 at 1:00PM.

MAINE COMMISSION ON PUBLIC DEFENSE SERVICES

July 2024 Operations Report

- 2,575 new cases were opened in the defenderData system. This was a 334 case increase from June. Year to date, new cases are down 17.5% from last year from 3,123 at this time last year to 2,575 this year.
- The number of vouchers submitted electronically was 3,619 an increase of 254 vouchers from June, totaling \$3,856,219, an increase of \$206,933 from June. Year to date, the number of submitted vouchers is up by approximately 9.7%, from 3,296 at this time last year to 3,619 this year, with the total amount for submitted vouchers up approximately 30.9%, from \$2,943,882 at this time last year to \$3,856,219 this year.
- We paid 3,628 electronic vouchers totaling \$3,700,721 representing an increase of 380 vouchers and an increase of \$484,100 compared to June. Year to date, the number of paid vouchers is essentially flat, with 3,685 vouchers at this time last year to 3,628 this year, and the total amount paid is up approximately 11.3%, from \$3,322,933 this time last year to \$3,700,721 this year.
- The average price per voucher was \$1,020.04 up \$29.70 per voucher from June. Year to date, the average price per voucher is up approximately 13.1%, from \$901.75 at this time last year to \$1,020.04 this year.
- Central Office Resource Counsel and Petition for Release, Discharge had the highest average voucher total. There were 21 vouchers exceeding \$7,500 paid in July. See attached addendum for details.
- We issued 146 authorizations to expend funds: 69 for private investigators, 50 for experts, and 27 for miscellaneous services such as interpreters and transcriptionists. We paid \$266,265 for experts and investigators, etc. No requests were denied.
- There was one attorney suspension.
- In the All Other Account, the total expenses were \$4,011,950. Approximately \$44,963 was devoted to the Commission's operating expenses.
- In the Personal Services Accounts, we had \$453,660 in expenses.
- There was no transfer from the Judicial Branch for collected counsel fees.
- As of August 15, 2024, there are 153 rostered attorneys of which 103 are available for trial court level work.
- July 2024 submitted hours are 15% higher than July 2023 submitted hours.

Submitted Hours													
	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June	Yearly Total
FY21	13,652	15,225	17,333	20,420	17,399	17,244	19,813	17,753	31,671	17,869	19,037	19,270	226,687
FY22	19,764	21,749	19,882	22,228	17,828	17,286	22,006	21,357	24,885	19,723	19,551	21,195	247,454
FY23	19,890	22,083	20,470	20,125	20,820	21,997	21,823	20,666	23,273	19,878	25,420	25,109	261,556
FY24	22,635	24,596	22,244	21,813	22,643	23,608	28,859	28,903	26,406	25,109	30,260	25,911	302,875
FY25	26,031												26,031

Vouchers over \$7,500

Comment	Voucher Total	Case Total
Homicide	\$64,214.54	\$64,214.54
Gross Sexual Assault	\$16,365.00	\$16,365.00
Termination of Parental Rights	\$16,248.00	\$16,248.00
Trafficking	\$13,245.00	\$13,245.00
Aggravated Assault	\$12,829.01	\$12,829.01
Child Protection Petition	\$12,582.00	\$17,637.80
Aggravated Assault	\$12,425.04	\$12,425.04
Probation Violation	\$12,414.66	\$14,271.01
Termination of Parental Rights	\$12,210.84	\$15,666.04
Aggravated Trafficking	\$11,240.98	\$11,240.98
Post-Conviction Review	\$10,767.14	\$10,767.14
Child Protection Petition	\$10,380.00	\$11,835.00
Robbery	\$10,149.00	\$10,149.00
Homicide	\$10,143.33	\$10,143.33
Arson	\$9,968.25	\$9,968.25
Appeal	\$9,735.00	\$9,735.00
Gross Sexual Assault	\$9,330.00	\$16,601.00
Domestic Violence Aggravated Assault	\$9,276.06	\$9,276.06
Unlawful Sexual Contact	\$9,060.00	\$28,515.00
Child Protection Petition	\$8,793.00	\$15,731.40
Appeal	\$8,760.00	\$9,915.00

Statement of Revenue and Expenses for Maine Commission of Indigent Legal Services

FY25 As of August 8, 2024

<u>General Funds - 010-Z11201</u>	<u>QTR1</u>	<u>QTR2</u>	<u>QTR3</u>	<u>QTR4</u>	<u>TOTAL</u>	
Personal Services Allotment	\$ 2,264,681	\$ 2,248,547	\$ 1,695,004	\$ 472,785	\$ 6,681,017	<i>Supplemental Adj Pending</i>
Payroll to date	(417,529)	-	-	-	(417,529)	
Estimated payroll remaining	(1,061,463)	(1,112,315)	(965,902)	(965,902)	(4,105,583)	
Total Personal Services available	\$ 785,689	\$ 1,136,232	\$ 729,102	\$ (493,117)	\$ 2,157,905	
All Other Allotment	\$ 13,195,654	\$ 9,868,538	\$ 8,868,534	\$ 3,868,528	\$ 35,801,254	<i>Supplemental Adj Pending</i>
Expenditures to date	(4,369,361)	-	-	-	(4,369,361)	
Encumbrances	(94,872)	-	-	-	(94,872)	
Total All Other Available	\$ 8,731,422	\$ 9,868,538	\$ 8,868,534	\$ 3,868,528	\$ 31,337,022	

Unencumbered balance forward 0.00

<u>Other Special Revenue Funds - 014-Z11201</u>	<u>QTR1</u>	<u>QTR2</u>	<u>QTR3</u>	<u>QTR4</u>	<u>TOTAL</u>	
Personal Services Allotment	\$ 785,583	\$ 105,144	\$ 104,638	\$ 104,635	\$ 1,100,000	
Payroll to date	(36,132)	-	-	-	(36,132)	
Estimated payroll remaining	-	-	-	-	-	
Total Personal Services available	\$ 749,451	\$ 105,144	\$ 104,638	\$ 104,635	\$ 1,063,868	
All Other Allotment	\$ 35,000	\$ 22,000	\$ -	\$ -	\$ 57,000	
Expenditures to date	(8,200)	-	-	-	(8,200)	
Encumbrances	(0)	-	-	-	(0)	
Total All Other Available	\$ 26,800	\$ 22,000	\$ -	\$ -	\$ 48,800	

CASH ON HAND 8/05/2024 \$ 9,285,577.53

<u>Other Special Revenue Funds - 014-Z11202</u>	<u>QTR1</u>	<u>QTR2</u>	<u>QTR3</u>	<u>QTR4</u>	<u>TOTAL</u>	
All Other Allotment	\$ 820,583	\$ 127,144	\$ 104,638	\$ 104,635	\$ 1,157,000	
Expenditures to date	-	-	-	-	-	
Encumbrances	-	-	-	-	-	
Total All Other Available	\$ 820,583	\$ 127,144	\$ 104,638	\$ 104,635	\$ 1,157,000	

CASH ON HAND 8/05/2024 \$ 7,460.66

<u>Other Special Revenue Funds - 014-Z25801</u>	<u>QTR1</u>	<u>QTR2</u>	<u>QTR3</u>	<u>QTR4</u>	<u>TOTAL</u>	
All Other Allotment	\$ -	\$ -	\$ -	\$ -	\$ -	
Expenditures to date	-	-	-	-	-	
Encumbrances	-	-	-	-	-	
Total All Other Available	\$ -	\$ -	\$ -	\$ -	\$ -	

CASH ON HAND 8/05/2024 \$ -

<u>ARPA Funds - 023-Z11201</u>	<u>QTR1</u>	<u>QTR2</u>	<u>QTR3</u>	<u>QTR4</u>	<u>TOTAL</u>	
All Other Allotment	\$ -	\$ -	\$ -	\$ 1,500,000	\$ 1,500,000	<i>Requesting removal</i>
Expenditures to date	-	-	-	-	-	
Encumbrances	-	-	-	-	-	
Total All Other Available	\$ -	\$ -	\$ -	\$ 1,500,000	\$ 1,500,000	

CASH ON HAND 8/05/2024 \$ -

MAINE COMMISSION ON PUBLIC DEFENSE SERVICES

Activity Report by Case Type

7/31/2024

DefenderData Case Type	Jul-24						Fiscal Year 2025			
	New Cases	Vouchers Submitted	Submitted Amount	Vouchers Paid	Approved Amount	Average Amount	Cases Opened	Vouchers Paid	Amount Paid	Average Amount
Appeal	13	24	\$43,868.60	28	\$ 55,895.20	\$1,996.26	13	28	\$ 55,895.20	\$1,996.26
Central Office Resource Counsel	0	1	\$585.00	1	\$ 4,845.00	\$4,845.00	0	1	\$ 4,845.00	\$4,845.00
Child Protection Petition	157	526	\$657,007.68	486	\$ 585,472.02	\$1,204.67	157	486	\$ 585,472.02	\$1,204.67
Drug Court	7	13	\$27,420.00	16	\$ 31,935.00	\$1,995.94	7	16	\$ 31,935.00	\$1,995.94
Emancipation	7	8	\$6,076.82	5	\$ 4,471.82	\$894.36	7	5	\$ 4,471.82	\$894.36
Felony	618	940	\$1,371,348.12	927	\$ 1,287,561.04	\$1,388.95	618	927	\$ 1,287,561.04	\$1,388.95
Involuntary Civil Commitment	92	111	\$59,611.60	124	\$ 61,519.10	\$496.12	92	124	\$ 61,519.10	\$496.12
Juvenile	71	149	\$142,889.70	147	\$ 139,065.81	\$946.03	71	147	\$ 139,065.81	\$946.03
Lawyer of the Day - Custody	295	307	\$213,240.40	328	\$ 232,117.00	\$707.67	295	328	\$ 232,117.00	\$707.67
Lawyer of the Day - Juvenile	7	12	\$6,909.80	15	\$ 7,543.50	\$502.90	7	15	\$ 7,543.50	\$502.90
Lawyer of the Day - Walk-in	141	139	\$91,655.80	148	\$ 95,412.95	\$644.68	141	148	\$ 95,412.95	\$644.68
MCILS Provided Training	141	106	\$69,698.37	46	\$ 21,337.84	\$463.87	141	46	\$ 21,337.84	\$463.87
Misdemeanor	853	987	\$797,645.94	1,054	\$ 794,767.20	\$754.05	853	1,054	\$ 794,767.20	\$754.05
Petition, Modified Release Treatment	1	1	\$2,175.00	1	\$ 2,175.00	\$2,175.00	1	1	\$ 2,175.00	\$2,175.00
Petition, Release or Discharge	0	1	\$1,867.00	2	\$ 6,502.00	\$3,251.00	0	2	\$ 6,502.00	\$3,251.00
Petition,Termination of Parental Rights	0	18	\$37,979.06	11	\$ 29,091.00	\$2,644.64	0	11	\$ 29,091.00	\$2,644.64
Post Conviction Review	1	14	\$28,711.46	15	\$ 34,366.38	\$2,291.09	1	15	\$ 34,366.38	\$2,291.09
Probate	1	2	\$5,895.00	4	\$ 7,740.00	\$1,935.00	1	4	\$ 7,740.00	\$1,935.00
Probation Violation	145	161	\$140,398.22	166	\$ 143,348.47	\$863.55	145	166	\$ 143,348.47	\$863.55
Represent Witness on 5th Amendment	1	0		2	\$ 1,605.00	\$802.50	1	2	\$ 1,605.00	\$802.50
Resource Counsel Criminal	0	5	\$3,480.00	5	\$ 3,270.00	\$654.00	0	5	\$ 3,270.00	\$654.00
Resource Counsel Juvenile	0	1	\$15.00	1	\$ 15.00	\$15.00	0	1	\$ 15.00	\$15.00
Resource Counsel Mental Health	0	0		1	\$ 135.00	\$135.00	0	1	\$ 135.00	\$135.00
Resource Counsel NCR	0	0		0			0	0		
Resource Counsel Protective Custody	0	1	\$945.00	2	\$ 2,280.00	\$1,140.00	0	2	\$ 2,280.00	\$1,140.00
Review of Child Protection Order	0	68	\$127,735.13	74	\$ 132,835.83	\$1,795.08	0	74	\$ 132,835.83	\$1,795.08
Revocation of Administrative Release	0	3	\$5,925.00	2	\$ 4,590.00	\$2,295.00	0	2	\$ 4,590.00	\$2,295.00
Weapons Restrictions Case	24	21	\$13,135.50	17	\$ 10,824.50	\$636.74	24	17	\$ 10,824.50	\$636.74
TOTAL	2,575	3,619	\$3,856,219.20	3,628	\$ 3,700,721.66	\$1,020.04	2,575	3,628	\$ 3,700,721.66	\$1,020.04

MAINE COMMISSION ON PUBLIC DEFENSE SERVICES

Activity Report by Court

7/31/2024

Court	Jul-24						Fiscal Year 2025			
	New Cases	Vouchers Submitted	Submitted Amount	Vouchers Paid	Approved Amount	Average Amount	Cases Opened	Vouchers Paid	Amount Paid	Average Amount
ALFSC	0	1	\$1,215.00	1	\$ 1,215.00	\$1,215.00	0	1	\$ 1,215.00	\$1,215.00
AUBSC	1	2	\$3,090.00	5	\$ 4,540.00	\$908.00	1	5	\$ 4,540.00	\$908.00
AUGDC	41	60	\$115,429.56	58	\$ 104,640.06	\$1,804.14	41	58	\$ 104,640.06	\$1,804.14
AUGSC	1	2	\$4,042.00	3	\$ 8,677.00	\$2,892.33	1	3	\$ 8,677.00	\$2,892.33
BANDC	57	134	\$122,890.00	98	\$ 64,819.00	\$661.42	57	98	\$ 64,819.00	\$661.42
BANSC	0	2	\$1,320.00	2	\$ 1,320.00	\$660.00	0	2	\$ 1,320.00	\$660.00
BATSC	0	0		0			0	0		
BELDC	6	23	\$27,675.90	15	\$ 9,301.80	\$620.12	6	15	\$ 9,301.80	\$620.12
BELSC	0	0		0			0	0		
BIDDC	37	92	\$83,326.68	97	\$ 85,483.88	\$881.28	37	97	\$ 85,483.88	\$881.28
BRIDC	8	19	\$26,801.65	14	\$ 15,237.85	\$1,088.42	8	14	\$ 15,237.85	\$1,088.42
CALDC	3	8	\$4,725.00	5	\$ 2,790.00	\$558.00	3	5	\$ 2,790.00	\$558.00
CARDC	10	19	\$28,354.30	17	\$ 29,811.80	\$1,753.64	10	17	\$ 29,811.80	\$1,753.64
CARSC	1	0		0			1	0		
DOVDC	2	11	\$6,936.00	10	\$ 8,143.50	\$814.35	2	10	\$ 8,143.50	\$814.35
DOVSC	0	0		0			0	0		
ELLDC	7	34	\$42,660.50	21	\$ 19,793.00	\$942.52	7	21	\$ 19,793.00	\$942.52
ELLSC	1	1	\$ 1,382.00	0			1	0		
FARDC	13	18	\$14,914.15	16	\$ 10,645.00	\$665.31	13	16	\$ 10,645.00	\$665.31
FARSC	1	1	\$ 1,005.00	0			1	0		
FORDC	4	9	\$6,279.50	8	\$ 3,849.50	\$481.19	4	8	\$ 3,849.50	\$481.19
HOUDC	8	10	\$7,905.00	10	\$ 7,771.00	\$777.10	8	10	\$ 7,771.00	\$777.10
HOUSC	0	0		0			0	0		
LEWDC	24	95	\$114,413.85	102	\$ 127,562.35	\$1,250.61	24	102	\$ 127,562.35	\$1,250.61
LINDC	10	5	\$4,931.00	9	\$ 8,456.00	\$939.56	10	9	\$ 8,456.00	\$939.56
MACDC	0	15	\$23,642.50	11	\$ 15,332.50	\$1,393.86	0	11	\$ 15,332.50	\$1,393.86
MACSC	0	0		0			0	0		
MADDC	0	0		0			0	0		
MILDC	2	0		3	\$ 17,344.12	\$5,781.37	2	3	\$ 17,344.12	\$5,781.37
NEWDC	13	37	\$28,385.50	23	\$ 15,530.00	\$675.22	13	23	\$ 15,530.00	\$675.22
PORDC	52	115	\$103,554.93	137	\$ 105,307.70	\$768.67	52	137	\$ 105,307.70	\$768.67
PORSC	2	3	\$5,198.50	3	\$ 4,062.00	\$1,354.00	2	3	\$ 4,062.00	\$1,354.00
PREDC	10	22	\$38,301.19	22	\$ 37,242.63	\$1,692.85	10	22	\$ 37,242.63	\$1,692.85
ROCD	10	16	\$17,086.90	14	\$ 16,854.66	\$1,203.90	10	14	\$ 16,854.66	\$1,203.90
ROCSC	0	0		0			0	0		
RUMDC	5	20	\$38,540.56	23	\$ 35,092.25	\$1,525.75	5	23	\$ 35,092.25	\$1,525.75
SKODC	18	68	\$81,657.18	74	\$ 91,567.20	\$1,237.39	18	74	\$ 91,567.20	\$1,237.39
SKOSC	0	0		0			0	0		
SOUDC	5	15	\$24,842.40	18	\$ 36,062.40	\$2,003.47	5	18	\$ 36,062.40	\$2,003.47
SOUSC	1	0		0			1	0		
SPRDC	1	12	\$32,620.50	12	\$ 21,111.50	\$1,759.29	1	12	\$ 21,111.50	\$1,759.29
Law Ct	10	20	\$39,772.60	24	\$ 52,463.20	\$2,185.97	10	24	\$ 52,463.20	\$2,185.97
Training	140	108	\$72,023.37	51	\$ 30,817.84	\$604.27	140	51	\$ 30,817.84	\$604.27
YORCD	282	448	\$494,897.11	386	\$ 451,970.07	\$1,170.91	282	386	\$ 451,970.07	\$1,170.91
ARODC	133	263	\$217,224.88	292	\$ 224,994.70	\$770.53	133	292	\$ 224,994.70	\$770.53
ANDCD	231	241	\$229,622.21	306	\$ 282,161.06	\$922.09	231	306	\$ 282,161.06	\$922.09
KENCD	130	161	\$154,232.41	206	\$ 187,452.50	\$909.96	130	206	\$ 187,452.50	\$909.96
PENCD	236	264	\$262,454.44	231	\$ 258,258.85	\$1,118.00	236	231	\$ 258,258.85	\$1,118.00
SAGCD	37	43	\$37,452.50	47	\$ 43,369.46	\$922.75	37	47	\$ 43,369.46	\$922.75
WALCD	74	51	\$132,532.04	63	\$ 63,246.96	\$1,003.92	74	63	\$ 63,246.96	\$1,003.92
PISCD	19	28	\$18,714.00	15	\$ 17,587.00	\$1,172.47	19	15	\$ 17,587.00	\$1,172.47
HANCD	48	98	\$80,351.90	102	\$ 91,274.91	\$894.85	48	102	\$ 91,274.91	\$894.85
FRACD	28	58	\$46,140.47	68	\$ 55,405.33	\$814.78	28	68	\$ 55,405.33	\$814.78
WASCD	51	69	\$125,794.54	53	\$ 57,477.33	\$1,084.48	51	53	\$ 57,477.33	\$1,084.48
CUMCD	413	497	\$560,237.99	492	\$ 540,163.25	\$1,097.89	413	492	\$ 540,163.25	\$1,097.89
KNODC	85	57	\$55,836.50	68	\$ 69,533.21	\$1,022.55	85	68	\$ 69,533.21	\$1,022.55
SOMCD	116	69	\$69,323.70	100	\$ 94,628.54	\$946.29	116	100	\$ 94,628.54	\$946.29
OXFCD	96	133	\$99,002.09	131	\$ 101,751.13	\$776.73	96	131	\$ 101,751.13	\$776.73
LINCD	43	57	\$58,448.06	62	\$ 56,564.64	\$912.33	43	62	\$ 56,564.64	\$912.33
WATDC	22	43	\$45,360.20	50	\$ 56,107.70	\$1,122.15	22	50	\$ 56,107.70	\$1,122.15
WESDC	10	22	\$15,383.29	30	\$ 27,099.90	\$903.33	10	30	\$ 27,099.90	\$903.33
WISDC	15	12	\$14,110.65	15	\$ 21,778.88	\$1,451.93	15	15	\$ 21,778.88	\$1,451.93
WISSC	0	0		0			0	0		
YORDC	2	7	\$13,067.00	4	\$ 5,941.50	\$1,485.38	2	4	\$ 5,941.50	\$1,485.38
TOTAL	2,575	3,619	\$3,856,219.20	3,628	\$3,700,721.66	\$1,020.04	2,575	3,628	\$3,700,721.66	\$1,020.04

MAINE COMMISSION ON PUBLIC DEFENSE SERVICES
FY25 FUND ACCOUNTING
AS OF 07/31/2024

Account 010 95F Z112 01 (All Other)		Mo.	Q1	Mo.	Q2	Mo.	Q3	Mo.	Q4	FY24 Total
FY25 Professional Services Allotment			\$ 13,195,654.02		\$ 9,868,538.00		\$ 8,868,534.00		\$ 3,868,528.00	\$ 35,801,254.02
FY25 General Operations Allotment			\$ -		\$ -		\$ -		\$ -	\$ -
			\$ -		\$ -		\$ -		\$ -	
			\$ -		\$ -		\$ -		\$ -	
Budget Order Adjustment			\$ -		\$ -		\$ -		\$ -	
Budget Order Adjustment			\$ -		\$ -		\$ -		\$ -	\$ -
Financial Order Adjustment			\$ -		\$ -		\$ -		\$ -	\$ -
Total Budget Allotments			\$ 13,195,654.02		\$ 9,868,538.00		\$ 8,868,534.00		\$ 3,868,528.00	\$ 35,801,254.02
Total Expenses		1	\$ (4,011,950.43)	4	\$ -	7	\$ -	10	\$ -	
		2	\$ -	5	\$ -	8	\$ -	11	\$ -	
		3	\$ -	6	\$ -	9	\$ -	12	\$ -	
FY24 carry forward encumbrances			\$ -		\$ -		\$ -		\$ -	\$ 64,004.02
FY24 unencumbered balance forward			\$ -		\$ -		\$ -		\$ -	\$ 207,549.00
Transfer out			\$ -		\$ -		\$ -		\$ -	\$ (16,131.00)
Encumbrances (Justice Works)			\$ -		\$ -		\$ -		\$ -	\$ -
Encumbrances (Justice Works for PD users access)			\$ (27,060.00)		\$ -		\$ -		\$ -	\$ (27,060.00)
Encumbrances (B Taylor)			\$ (29,466.69)		\$ -		\$ -		\$ -	\$ (29,466.69)
Encumbrances (West Law online legal research)			\$ (13,442.43)		\$ -		\$ -		\$ -	\$ (13,442.43)
Encumbrance (CRPD summer interns)			\$ (917.88)		\$ -		\$ -		\$ -	\$ (917.88)
Encumbrance (K. Guillory contract for website maintenance)			\$ -		\$ -		\$ -		\$ -	\$ -
Encumbrance (business cards)			\$ -		\$ -		\$ -		\$ -	\$ -
Encumbrance (training videographer)			\$ (2,800.00)		\$ -		\$ -		\$ -	\$ (2,800.00)
Encumbrance (training speaker)			\$ (13,000.00)		\$ -		\$ -		\$ -	\$ (13,000.00)
Encumbrance (training speaker)			\$ (9,000.00)		\$ -		\$ -		\$ -	\$ (9,000.00)
Accrued expenses			\$ (2,250.00)		\$ -		\$ -		\$ -	\$ (2,250.00)
TOTAL REMAINING			\$ 9,085,766.59		\$ 9,868,538.00		\$ 8,868,534.00		\$ 3,868,528.00	\$ 31,691,366.59
Q1 Month 1										
INDIGENT LEGAL SERVICES										
Counsel Payments	\$ (3,700,721.66)						\$ 13,195,654.02			
Interpreters	\$ (332.00)						\$ -			
Private Investigators	\$ (12,311.50)						\$ (27,060.00)			
Mental Health Expert	\$ (38,800.00)						\$ (29,466.69)			
Misc Prof Fees & Serv	\$ (13,808.47)						\$ (2,800.00)			
Transcripts	\$ (17,496.67)						\$ (13,000.00)			
Other Expert	\$ (181,576.12)						\$ (9,000.00)			
Subpoena witness	\$ (14.33)						\$ -			
Process Servers	\$ (1,926.36)						\$ (13,442.43)			
SUB-TOTAL ILS	\$ (3,966,987.11)									
OPERATING EXPENSES										
Risk Management Insurances	\$ (7,184.13)						\$ 7,282.12			
Barbara Taylor monthly fees	\$ (5,893.33)						\$ (4,022,400.43)			
OIT/TELCO	\$ -						\$ 9,085,766.59			

MAINE COMMISSION ON PUBLIC DEFENSE SERVICES
FY25 FUND ACCOUNTING
AS OF 07/31/2024

Mileage/Tolls/Parking	\$	(1,383.50)
Mailing/Postage/Freight/Stamps	\$	(2,882.61)
West Publishing Corp	\$	(7,264.59)
Meter postage cards printing	\$	-
Office Supplies/Equip.	\$	-
Cellular Phones	\$	(1,442.15)
Periodicals/Books	\$	(8,400.00)
Employee/counsel lodging	\$	-
Service Center	\$	-
Shredding on Site	\$	(14.00)
Minor IT equipment/accessories	\$	-
Legal Ads/Job Postings	\$	(157.89)
Dues	\$	-
Registration fees	\$	-
Sales tax paid	\$	-
Justice Works	\$	(1,584.00)
Miscellaneous travel expenses	\$	-
Staff meals & gratuity	\$	-
Jesse Archer CLE tuition	\$	(4,875.00)
CRPD summer interns-Atlantic Staffing	\$	(5,882.12)
Univ of ME clerical support services	\$	(250.00)
Accrued expenses	\$	2,250.00
SUB-TOTAL OE	\$	(44,963.32)
TOTAL	\$	(4,011,950.43)

Non-Counsel Indigent Legal Services		
Monthly Total	\$	(266,265.45)
Total Q1	\$	266,265.45
Total Q2	\$	-
Total Q3	\$	-
Total Q4	\$	-
Fiscal Year Total	\$	266,265.45

MAINE COMMISSION ON PUBLIC DEFENSE SERVICES

FY25 FUND ACCOUNTING

AS OF 07/31/2024

Account 010 95F Z112 01 (Personal Services)	Mo.	Q1	Mo.	Q2	Mo.	Q3	Mo.	Q4	FY24 Total
FY25 Allotment		\$ 2,264,681.00		\$ 2,248,547.00		\$ 1,695,004.00		\$ 472,785.00	\$ 6,681,017.00
Financial Order Adjustments		\$ -		\$ -		\$ -		\$ -	\$ -
Budget Order Adjustments		\$ -		\$ -		\$ -		\$ -	\$ -
Total Budget Allotments		\$ 2,264,681.00		\$ 2,248,547.00		\$ 1,695,004.00		\$ 472,785.00	\$ 6,681,017.00
Total Expenses	1	\$ (417,528.73)	4	\$ -	7	\$ -	10	\$ -	
	2	\$ -	5	\$ -	8	\$ -	11	\$ -	
	3	\$ -	6	\$ -	9	\$ -	12	\$ -	
TOTAL REMAINING		\$ 1,847,152.27		\$ 2,248,547.00		\$ 1,695,004.00		\$ 472,785.00	\$ 6,263,488.27

Q1 Month 1	
Standard Overtime	\$ (413.88)
Permanent Regular	\$ (214,284.59)
Perm Part Time Full Ben	\$ (4,892.76)
Perm Vacation Pay	\$ (9,881.19)
Perm Holiday Pay	\$ (16,874.96)
Sick Pay	\$ (3,553.60)
Employee hlth svcs/workers comp	\$ (558.00)
Health Insurance	\$ (24,457.19)
Dental Insurance	\$ (656.48)
Employer Retiree Health	\$ (24,968.26)
Employer Retirement	\$ (17,240.55)
Employer Group Life	\$ (1,829.17)
Employer Medicare	\$ (4,173.35)
Retiree Unfunded Liability	\$ (48,163.62)
Longevity Pay	\$ (299.40)
Lim Perm Part Time Full Ben	\$ (2,293.97)
Limited Period Regular	\$ (28,171.20)
Limited Per Vacation Pay	\$ (1,455.14)
Limited Per Holiday Pay	\$ (2,669.92)
Limit Per Sick Pay	\$ (822.38)
Retro lump sum pymt	\$ (3,268.80)
Project Regular	\$ (6,480.32)
Project Holiday Pay	\$ (120.00)
Per Diem	\$ -
TOTAL	\$ (417,528.73)

MAINE COMMISSION ON PUBLIC DEFENSE SERVICES
FY25 FUND ACCOUNTING
AS OF 07/31/2024

Account 014 95F Z112 01 (OSR Personal Services Revenue)	Mo.	Q1	Mo.	Q2	Mo.	Q3	Mo.	Q4	FY24 Total
FY25 Allotment	\$	-	\$	-	\$	-	\$	-	\$ -
Financial Order Adjustments	\$	-	\$	-	\$	-	\$	-	
Carry Forward Q1 & Q3 Allotment	\$	-	\$	-	\$	-	\$	-	
Budget Order Adjustments	\$	-	\$	-	\$	-	\$	-	
Total Budget Allotments	\$	-	\$	-	\$	-	\$	-	\$ -
Total Expenses	1 \$	(36,132.37)	4 \$	-	7 \$	-	10 \$	-	
	2 \$	-	5 \$	-	8 \$	-	11 \$	-	
	3 \$	-	6 \$	-	9 \$	-	12 \$	-	
TOTAL REMAINING	\$	(36,132.37)	\$	-	\$	-	\$	-	\$ (36,132.37)

Q1 Month 1	
Standard Overtime	\$ -
Permanent Regular	\$ (11,381.31)
Perm Vacation Pay	\$ (1,405.12)
Perm Holiday Pay	\$ (1,432.96)
Perm Sick Pay	\$ (42.21)
Health Insurance	\$ (3,953.01)
Dental Insurance	\$ (74.60)
Employer Retiree Health	\$ (1,992.95)
Employer Retirement	\$ (2,098.27)
Employer Group Life	\$ (205.80)
Employer Medicare	\$ (324.15)
Retiree Unfunded Liability	\$ (3,844.39)
Limited Period Regular	\$ (2,671.11)
Limit Per Holiday Pay	\$ (365.28)
Limit Per Vacation Pay	\$ (388.11)
Limit Per Sick Pay	\$ (228.30)
Longevity Pay	\$ -
Employee Hlth SVS/Workers comp	\$ (54.00)
Perm Part Time Full Ben	\$ -
Retro Pay Contract	\$ -
Retro Lump Sum Pymt	\$ (5,670.80)
TOTAL	\$ (36,132.37)

MAINE COMMISSION ON PUBLIC DEFENSE SERVICES

FY25 FUND ACCOUNTING

As of 07/31/2024

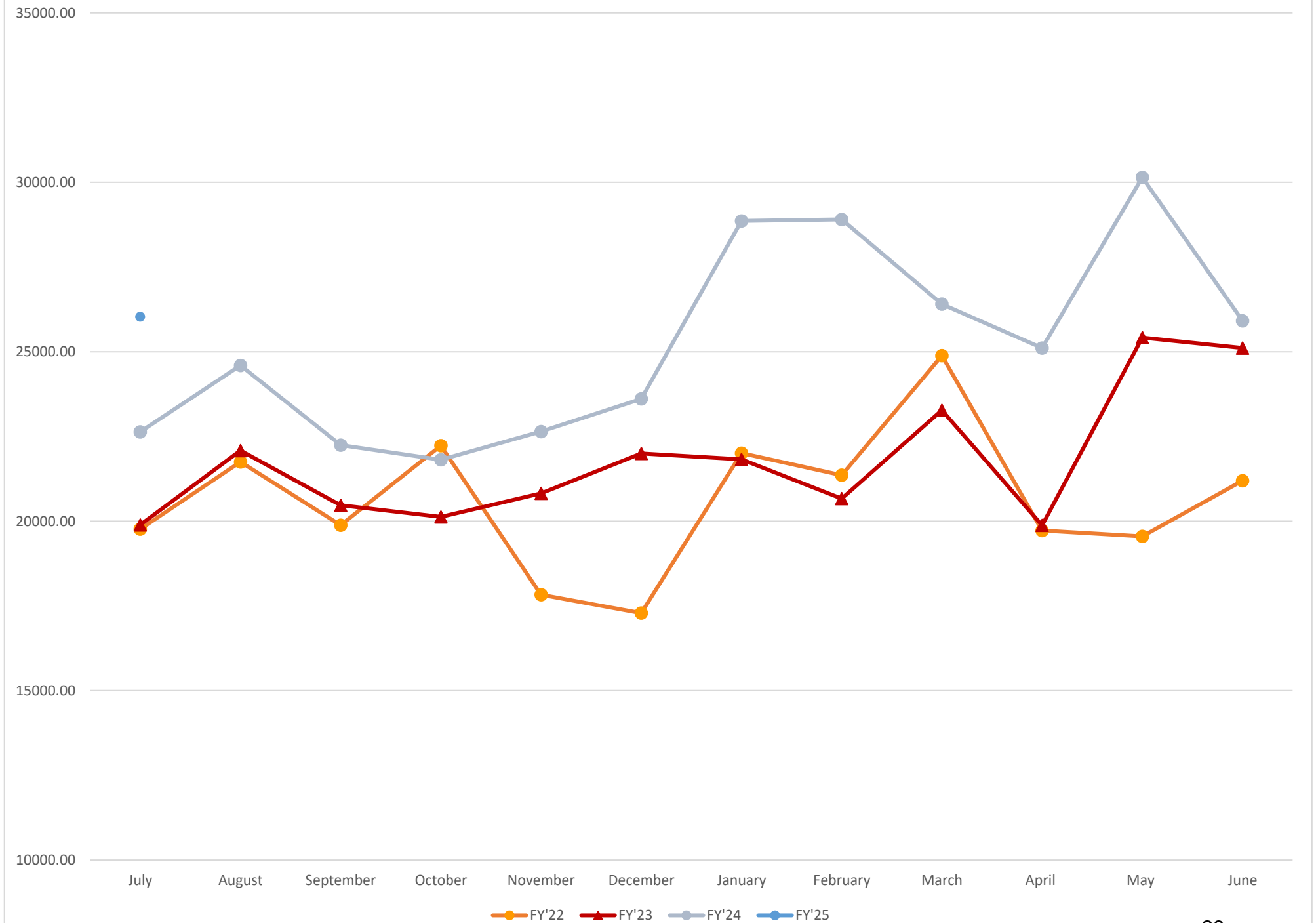
Account 014 95F Z112 01										
(Revenue)	Mo.	Q1	Mo.	Q2	Mo.	Q3	Mo.	Q4	FY24 Total	
Original Total Budget Allotments		\$ 785,583.00		\$ 105,144.00		\$ 104,638.00		\$ 104,635.00	\$	1,100,000.00
		\$ -		\$ -		\$ -		\$ -	\$	-
Financial Order Adjustment		\$ -		\$ -		\$ -		\$ -		
Financial Order Allotment Adjustment		\$ -		\$ -		\$ -		\$ -		
Budget Order Adjustment		\$ -		\$ -		\$ -		\$ -	\$	-
Budget Order Adjustment		\$ -		\$ -		\$ -		\$ -	\$	-
Total Budget Allotments		\$ 785,583.00		\$ 105,144.00		\$ 104,638.00		\$ 104,635.00	\$	1,100,000.00
Collected Revenue from JB	1	\$ -	4	\$ -	7	\$ -	10	\$ -		
Collected Revenue from JB	2	\$ -	5	\$ -	8	\$ -	11	\$ -		
Collected Revenue from JB	3	\$ -	6	\$ -	9	\$ -	12	\$ -		
Collected for reimbursement of counsel fees	1	\$ 2,331.00	4	\$ -	7	\$ -	10	\$ -		
Collected for reimbursement of counsel fees	2	\$ -	5	\$ -	8	\$ -	11	\$ -		
Collected for reimbursement of counsel fees	3	\$ -	6	\$ -	9	\$ -	12	\$ -		
TOTAL CASH PLUS REVENUE COLLECTED		\$ 2,331.00		\$ -		\$ -		\$ -	\$	2,331.00
Counsel Payments	1	\$ -	4	\$ -	7	\$ -	10	\$ -		
Counsel Payments	2	\$ -	5	\$ -	8	\$ -	11	\$ -		
Counsel Payments	3	\$ -	6	\$ -	9	\$ -	12	\$ -		
CRPD summer interns-Atlantic Staffing		\$ (8,200.00)								
Speaker fees for training		\$ -		\$ -		\$ -		\$ -		
State Cap		\$ -		\$ -		\$ -		\$ -		
REMAINING ALLOTMENT		\$ 777,383.00		\$ 105,144.00		\$ 104,638.00		\$ 104,635.00	\$	1,091,800.00

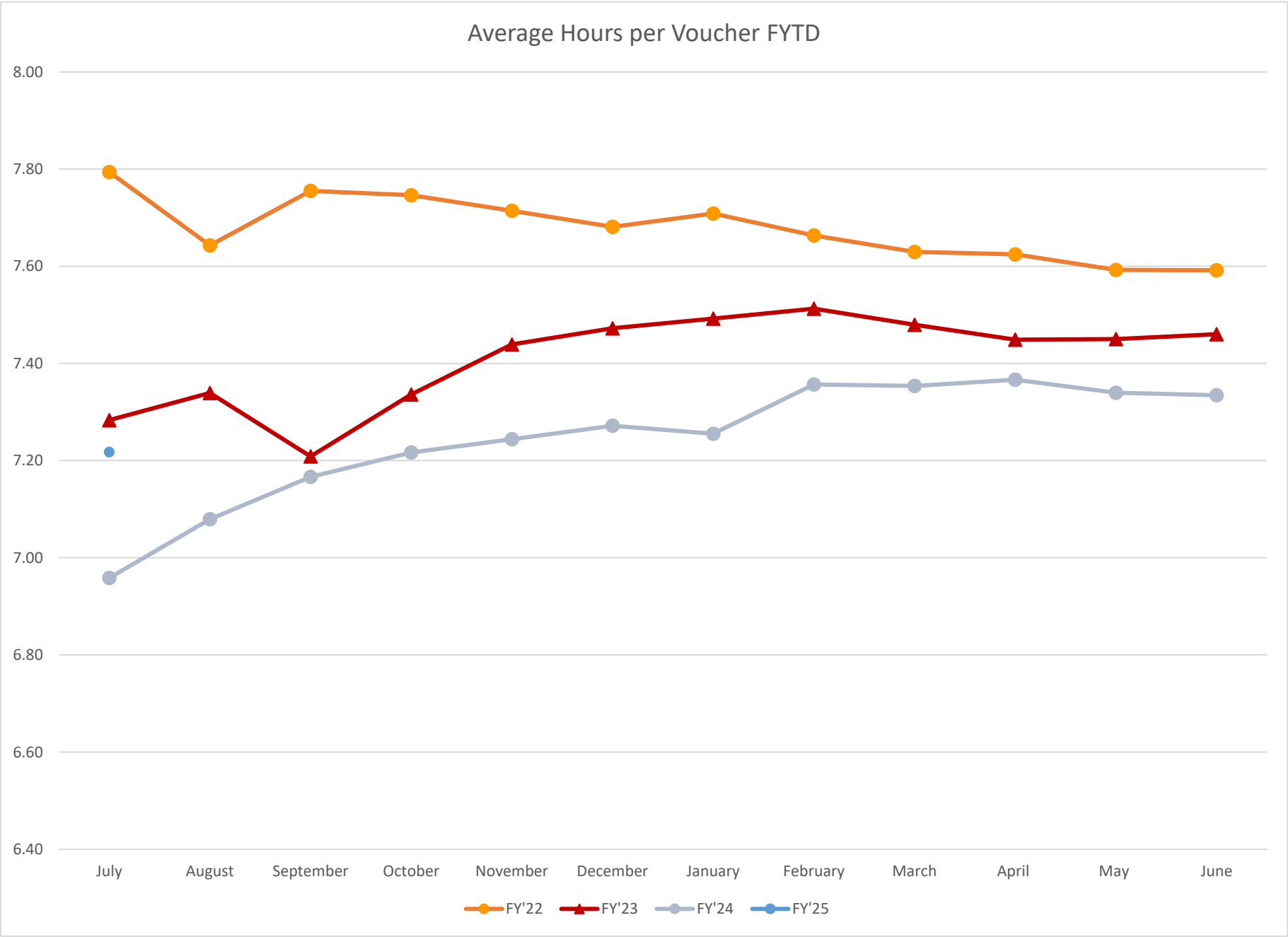
MAINE COMMISSION ON PUBLIC DEFENSE SERVICES
FY25 FUND ACCOUNTING
AS OF 07/31/2024

Account 014 95F Z112 02 (Conference Account)	Mo.	Q1	Mo.	Q2	Mo.	Q3	Mo.	Q4	FY24 Total
FY25 Allotment		\$ 35,000.00		\$ 22,000.00					\$ 57,000.00
Financial Order Adjustments		\$ -		\$ -		\$ -		\$ -	
Budget Order Adjustments		\$ -		\$ -		\$ -		\$ -	
Budget Order Adjustments		\$ -		\$ -		\$ -		\$ -	
		\$ -		\$ -		\$ -		\$ -	
		\$ -		\$ -		\$ -		\$ -	
Total Budget Allotments		\$ 35,000.00		\$ 22,000.00		\$ -		\$ -	\$ 57,000.00
Total Expenses	1	\$ -	4	\$ -	7	\$ -	10	\$ -	
	2	\$ -	5	\$ -	8	\$ -	11	\$ -	
	3	\$ -	6	\$ -	9	\$ -	12	\$ -	
State cap		\$ -		\$ -		\$ -		\$ -	
TOTAL REMAINING		\$ 35,000.00		\$ 22,000.00		\$ -		\$ -	\$ 57,000.00

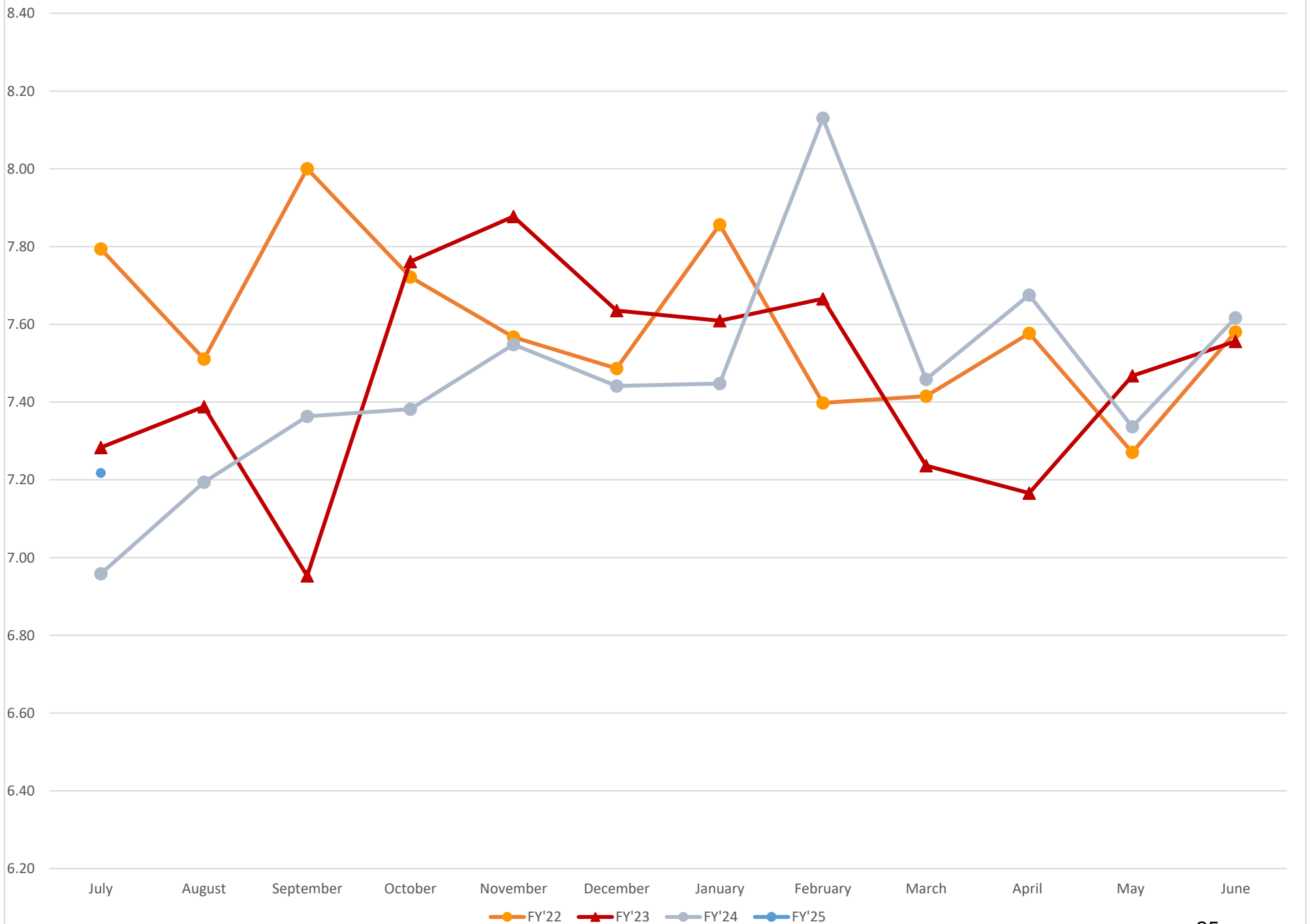
Q1 Month 1		
Instructor & Speaker services	\$	-
Refreshments & Catered meals	\$	-
Sales tax	\$	-
Mileage & parking fees for staff	\$	-
Training rooms	\$	-
Registrations	\$	-
Lodging for counsel	\$	-
Mileage for counsel	\$	-
Office supplies	\$	-
TOTAL	\$	-

Submitted Hours Amount

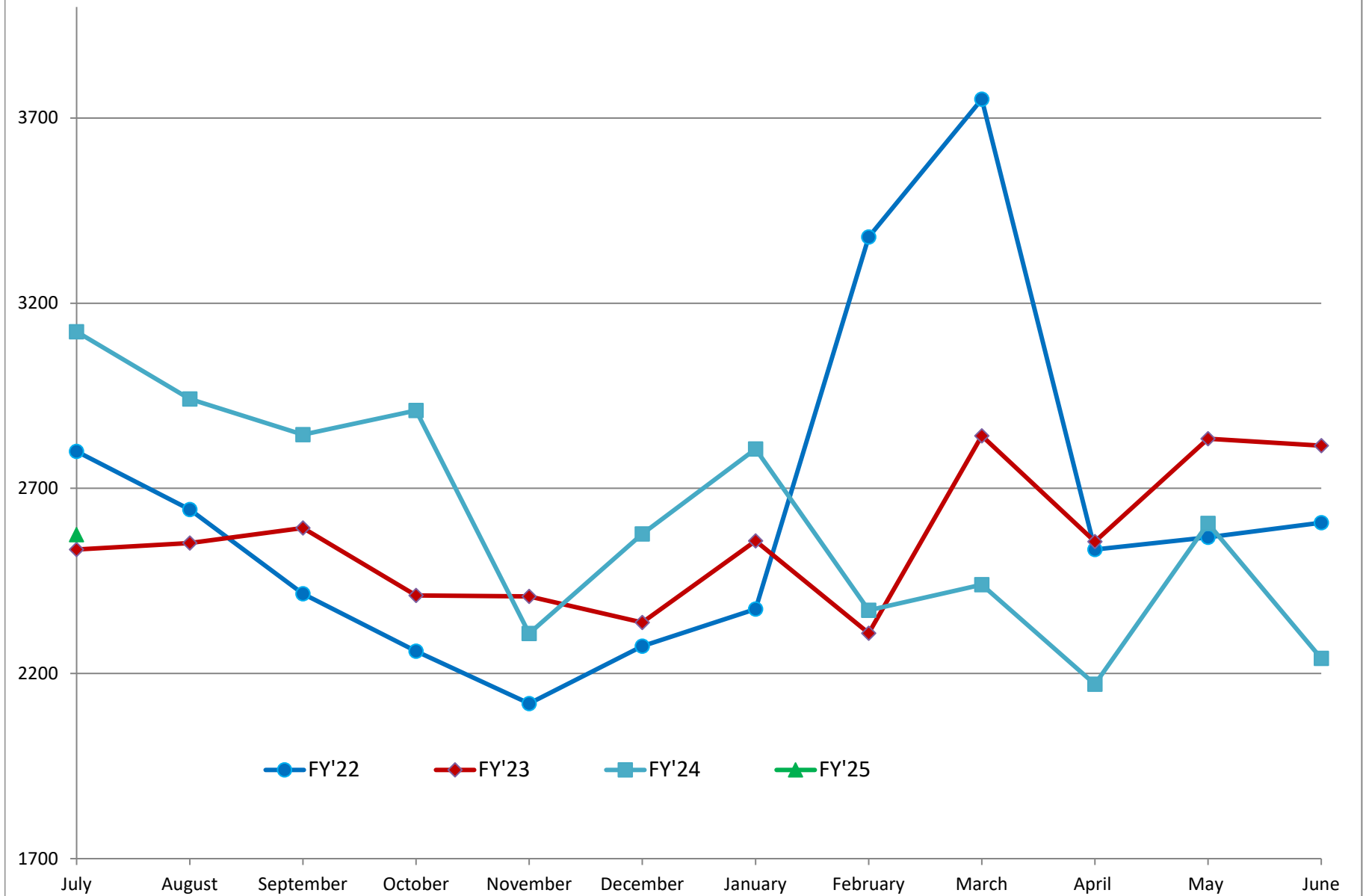




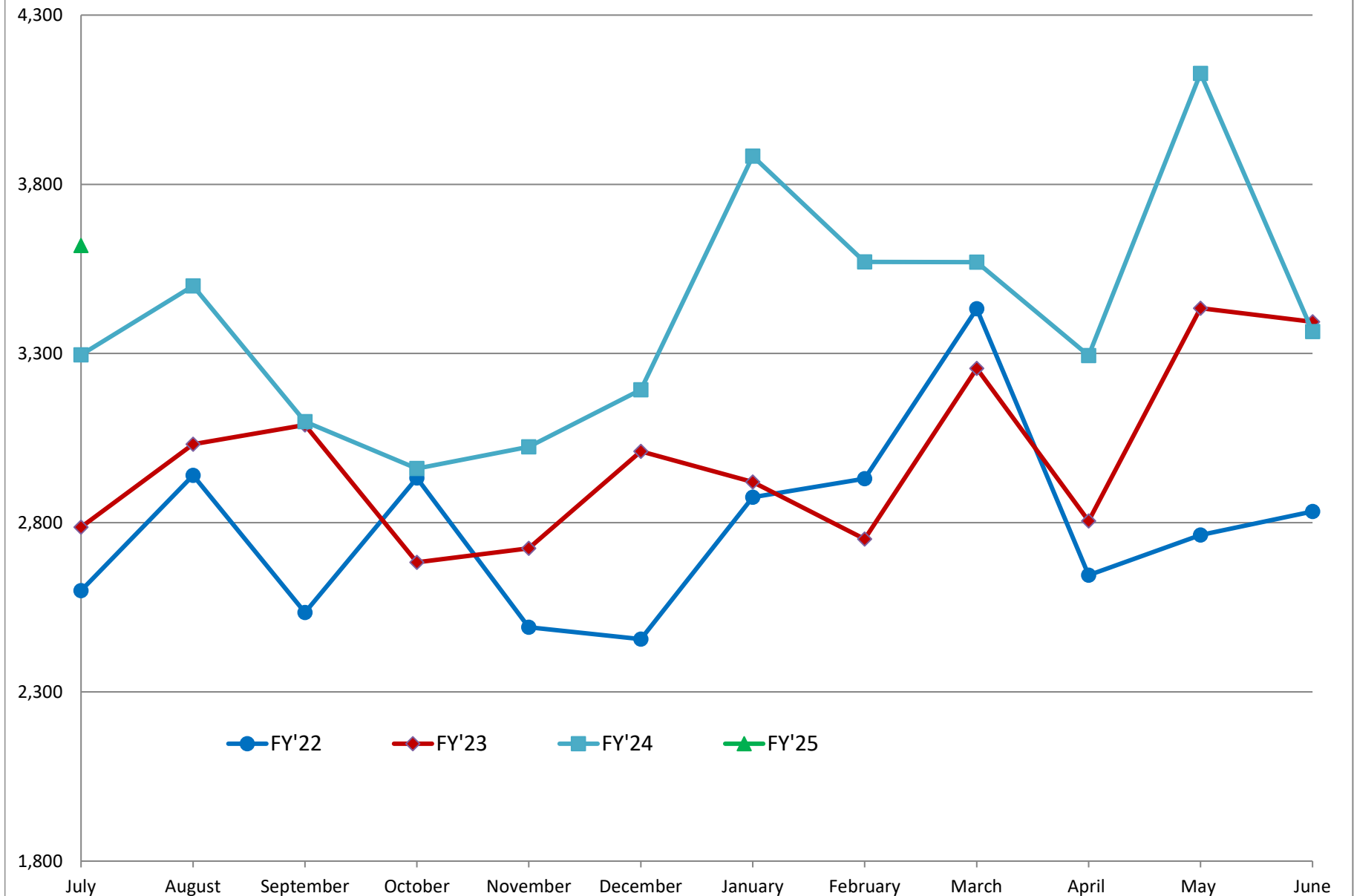
Monthly Average Hours per Voucher



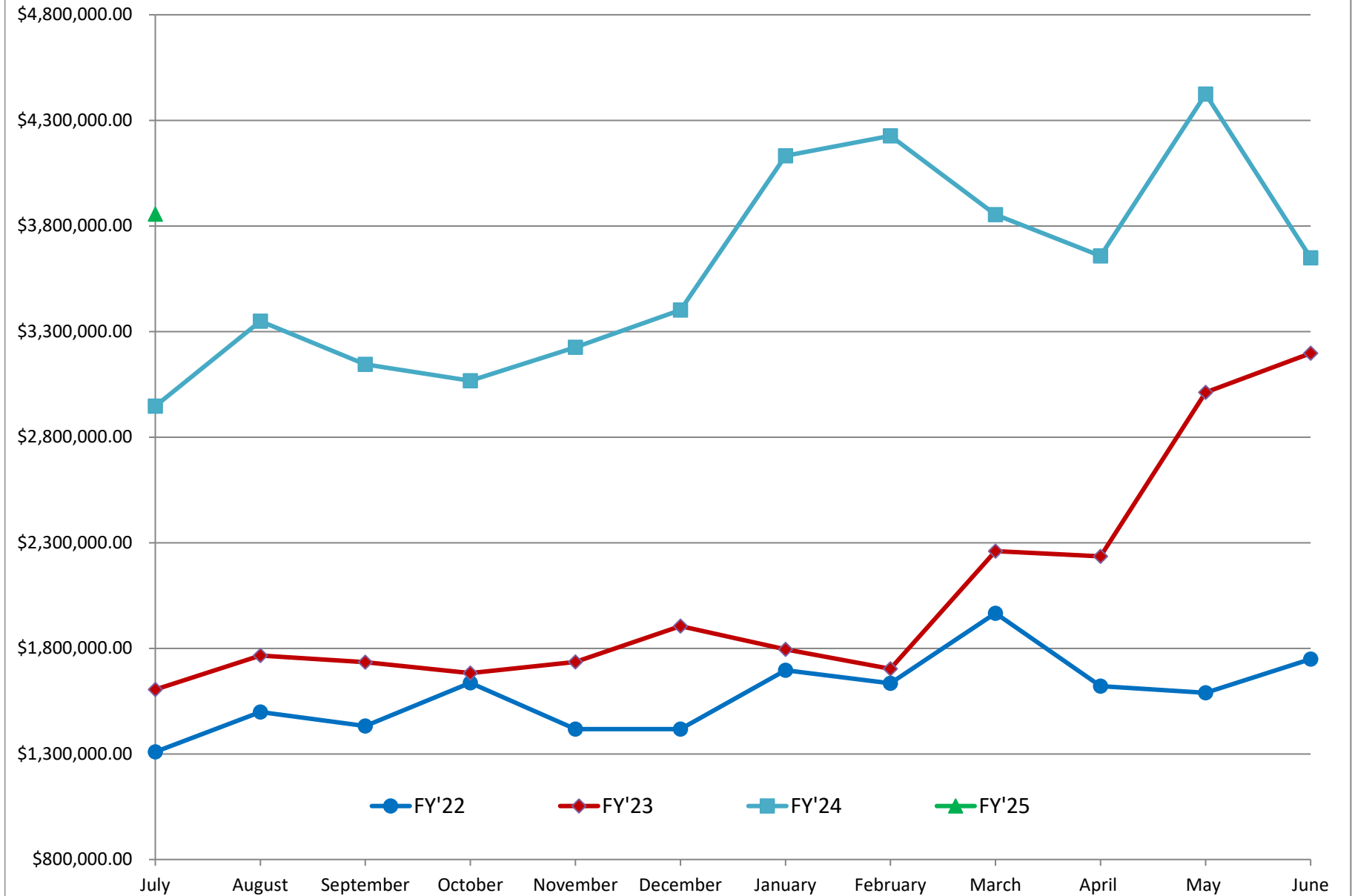
NEW CASES



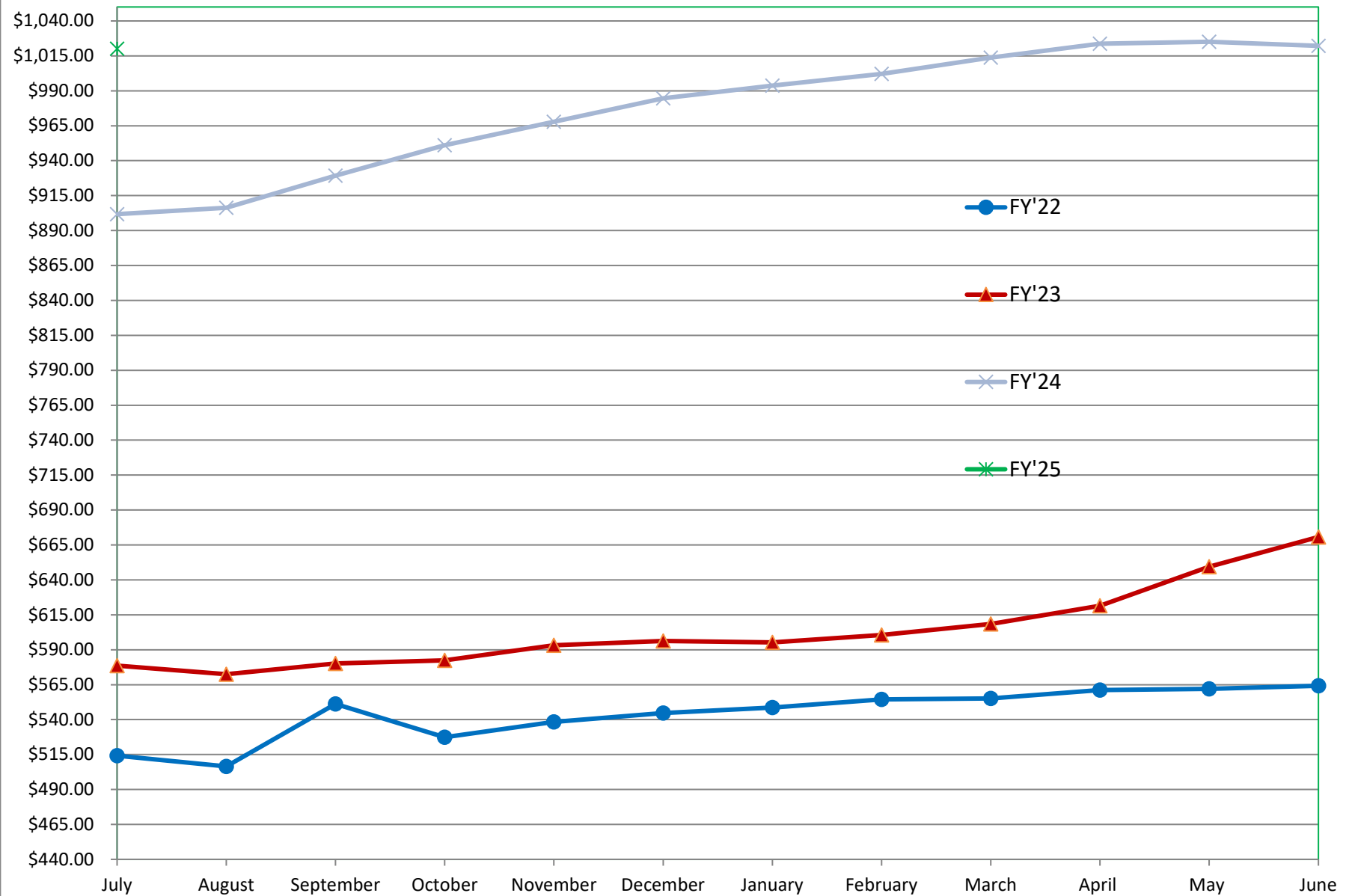
Submitted Vouchers



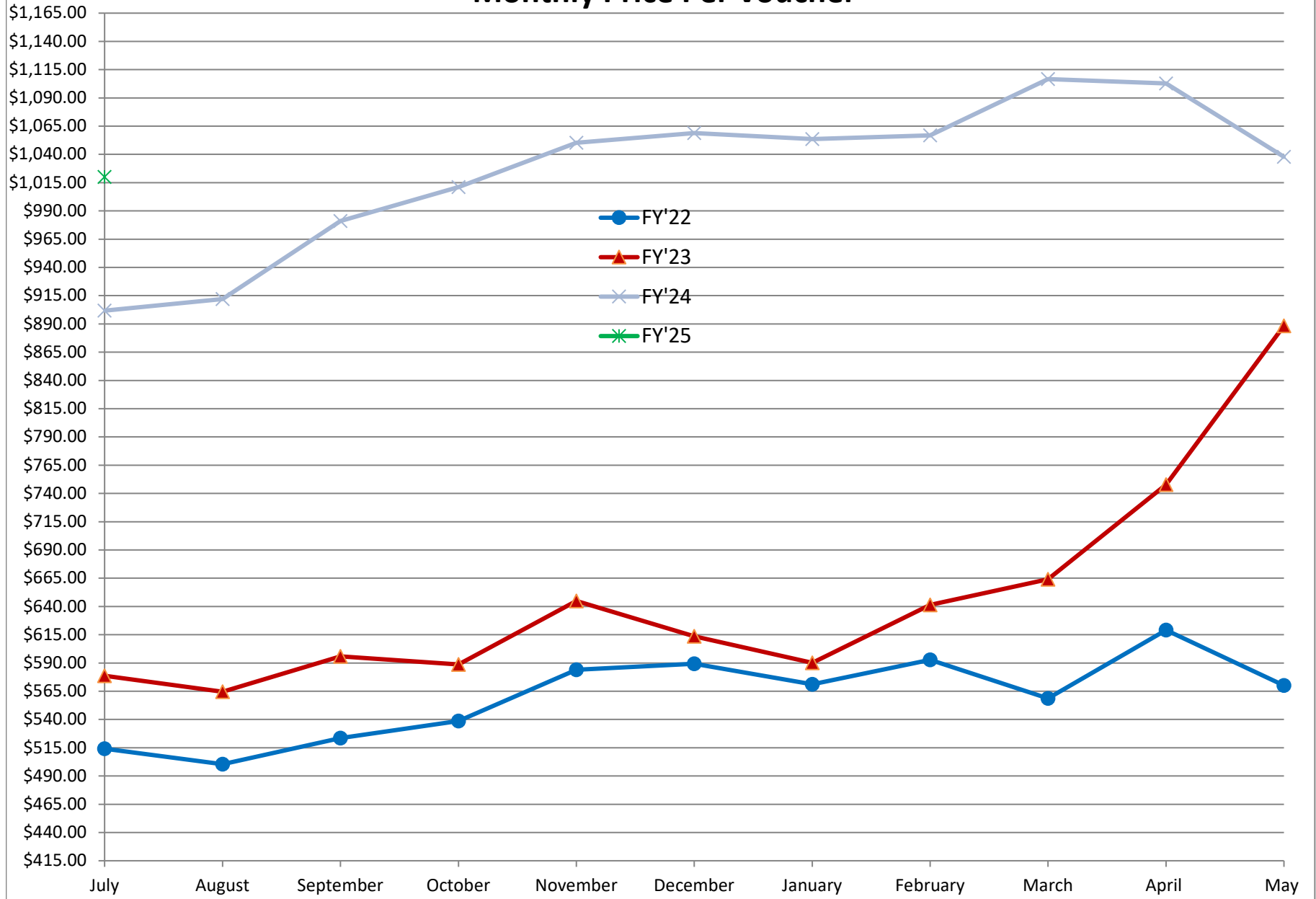
Submitted Voucher Amount



Average Voucher Price Fiscal Year to Date



Monthly Price Per Voucher



Pending UCD Cases as of August 9, 2024

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	857	113	42	4.9%	1,565	284	212	13.5%	13	5	38.5%	2,435	397	259	10.6%
Aroostook	566	126	41	7.2%	828	278	147	17.8%	29	18	62.1%	1,423	404	206	14.5%
Caribou	107	24	12	11.2%	150	41	26	17.3%	4	3	75.0%	261	65	41	15.7%
Fort Kent	90	18	3	3.3%	177	76	27	15.3%	3	0	0.0%	270	94	30	11.1%
Houlton	150	39	11	7.3%	218	75	49	22.5%	17	13	76.5%	385	114	73	19.0%
Presque Isle	219	45	15	6.8%	283	86	45	15.9%	5	2	40.0%	507	131	62	12.2%
Cumberland	1,421	216	114	8.0%	3,626	542	677	18.7%	141	95	67.4%	5,188	758	886	17.1%
Bridgton	22	8	2	9.1%	346	43	84	24.3%	64	61	95.3%	432	51	147	34.0%
Portland	1,382	200	112	8.1%	2,835	393	500	17.6%	57	27	47.4%	4,274	593	639	15.0%
West Bath	17	8	0	0.0%	445	106	93	20.9%	20	7	35.0%	482	114	100	20.7%
Franklin	138	35	16	11.6%	369	98	84	22.8%	10	5	50.0%	517	133	105	20.3%
Hancock	372	39	21	5.6%	560	83	115	20.5%	57	34	59.6%	989	122	170	17.2%
Kennebec	564	106	49	8.7%	1,398	331	307	22.0%	11	6	54.5%	1,973	437	362	18.3%
Augusta	528	98	46	8.7%	891	206	186	20.9%	7	2	28.6%	1,426	304	234	16.4%
Waterville	36	8	3	8.3%	507	125	121	23.9%	4	4	100.0%	547	133	128	23.4%
Knox	194	34	14	7.2%	473	97	114	24.1%	10	4	40.0%	677	131	132	19.5%
Lincoln	152	28	16	10.5%	392	126	80	20.4%	14	6	42.9%	558	154	102	18.3%
Oxford	464	93	46	9.9%	854	219	204	23.9%	25	15	60.0%	1,343	312	265	19.7%
Bridgton	46	12	1	2.2%	62	18	10	16.1%	1	1	100.0%	109	30	12	11.0%
Rumford	184	28	15	8.2%	349	75	74	21.2%	5	3	60.0%	538	103	92	17.1%
South Paris	234	53	30	12.8%	443	126	120	27.1%	19	11	57.9%	696	179	161	23.1%
Penobscot	844	35	94	11.1%	1,676	37	598	35.7%	71	54	76.1%	2,591	72	746	28.8%
Bangor	815	32	87	10.7%	1,270	23	435	34.3%	17	15	88.2%	2,102	55	537	25.5%
Lincoln	6	0	4	66.7%	154	7	66	42.9%	35	30	85.7%	195	7	100	51.3%
Newport	23	3	3	13.0%	252	7	97	38.5%	19	9	47.4%	294	10	109	37.1%
Piscataquis	30	1	5	16.7%	69	1	27	39.1%	32	26	81.3%	131	2	58	44.3%
Sagadahoc	169	47	13	7.7%	407	118	104	25.6%	17	6	35.3%	593	165	123	20.7%
Somerset	277	66	12	4.3%	449	133	108	24.1%	8	1	12.5%	734	199	121	16.5%
Waldo	198	43	17	8.6%	326	108	58	17.8%	5	4	80.0%	529	151	79	14.9%
Washington	130	15	3	2.3%	231	45	30	13.0%	28	15	53.6%	389	60	48	12.3%
Calais	62	6	2	3.2%	96	24	8	8.3%	12	7	58.3%	170	30	17	10.0%
Machias	68	9	1	1.5%	135	21	22	16.3%	16	8	50.0%	219	30	31	14.2%
York	861	151	114	13.2%	2,861	733	666	23.3%	61	17	27.9%	3,783	884	797	21.1%
TOTAL	7,237	1,148	617	8.5%	16,084	3,233	3,531	22.0%	532	311	58.5%	23,853	4,381	4,459	18.7%

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, August 2023 to August 2024

Pending cases as of August 9 of each year

UCD	FELONY			MISDEMEANOR			CIVIL VIOLATION			ALL CASES		
	2023	2024	% Diff	2023	2024	% Diff	2023	2024	% Diff	2023	2024	% Diff
Androscoggin	670	857	27.9%	1,888	1,565	-17.1%	16	13	-18.8%	2,574	2,435	-5.4%
Aroostook	687	566	-17.6%	1,141	828	-27.4%	19	29	52.6%	1,847	1,423	-23.0%
Caribou	145	107	-26.2%	254	150	-40.9%	4	4	0.0%	403	261	-35.2%
Fort Kent	109	90	-17.4%	185	177	-4.3%	2	3	50.0%	296	270	-8.8%
Houlton	201	150	-25.4%	268	218	-18.7%	7	17	142.9%	476	385	-19.1%
Presque Isle	232	219	-5.6%	434	283	-34.8%	6	5	-16.7%	672	507	-24.6%
Cumberland	1,299	1,421	9.4%	3,731	3,626	-2.8%	178	141	-20.8%	5,208	5,188	-0.4%
Bridgton	26	22	-15.4%	299	346	15.7%	101	64	-36.6%	426	432	1.4%
Portland	1,248	1,382	10.7%	2,959	2,835	-4.2%	58	57	-1.7%	4,265	4,274	0.2%
West Bath	25	17	-32.0%	473	445	-5.9%	19	20	5.3%	517	482	-6.8%
Franklin	144	138	-4.2%	442	369	-16.5%	10	10	0.0%	596	517	-13.3%
Hancock	409	372	-9.0%	696	560	-19.5%	40	57	42.5%	1,145	989	-13.6%
Kennebec	583	564	-3.3%	1,551	1,398	-9.9%	49	11	-77.6%	2,183	1,973	-9.6%
Augusta	555	528	-4.9%	961	891	-7.3%	19	7	-63.2%	1,535	1,426	-7.1%
Waterville	28	36	28.6%	590	507	-14.1%	30	4	-86.7%	648	547	-15.6%
Knox	210	194	-7.6%	498	473	-5.0%	15	10	-33.3%	723	677	-6.4%
Lincoln	123	152	23.6%	367	392	6.8%	10	14	40.0%	500	558	11.6%
Oxford	450	464	3.1%	1,138	854	-25.0%	21	25	19.0%	1,609	1,343	-16.5%
Bridgton	42	46	9.5%	115	62	-46.1%	1	1	0.0%	158	109	-31.0%
Rumford	168	184	9.5%	447	349	-21.9%	5	5	0.0%	620	538	-13.2%
South Paris	240	234	-2.5%	576	443	-23.1%	15	19	26.7%	831	696	-16.2%
Penobscot	904	844	-6.6%	1,927	1,676	-13.0%	73	71	-2.7%	2,904	2,591	-10.8%
Bangor	876	815	-7.0%	1,499	1,270	-15.3%	26	17	-34.6%	2,401	2,102	-12.5%
Lincoln	10	6	-40.0%	222	154	-30.6%	38	35	-7.9%	270	195	-27.8%
Newport	18	23	27.8%	206	252	22.3%	9	19	111.1%	233	294	26.2%
Piscataquis	18	30	66.7%	109	69	-36.7%	37	32	-13.5%	164	131	-20.1%
Sagadahoc	183	169	-7.7%	445	407	-8.5%	11	17	54.5%	639	593	-7.2%
Somerset	257	277	7.8%	575	449	-21.9%	17	8	-52.9%	849	734	-13.5%
Waldo	196	198	1.0%	332	326	-1.8%	7	5	-28.6%	535	529	-1.1%
Washington	152	130	-14.5%	290	231	-20.3%	27	28	3.7%	469	389	-17.1%
Calais	75	62	-17.3%	123	96	-22.0%	7	12	71.4%	205	170	-17.1%
Machias	77	68	-11.7%	167	135	-19.2%	20	16	-20.0%	264	219	-17.0%
York	1,102	861	-21.9%	3,986	2,861	-28.2%	98	61	-37.8%	5,186	3,783	-27.1%
TOTAL	7,387	7,237	-2.0%	19,116	16,084	-15.9%	628	532	-15.3%	27,131	23,853	-12.1%

Columns	
2023	Number of cases having at least one charge without a disposition, and without a currently active warrant as of August 9, 2023
2024	Number of cases having at least one charge without a disposition, and without a currently active warrant as of August 9, 2024
% Diff	Percent change in pending cases from 2023 to 2024. 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, August 2019 to August 2024

Pending cases as of August 9 of each year

UCD	FELONY			MISDEMEANOR			CIVIL VIOLATION			ALL CASES		
	2019	2024	% Diff	2019	2024	% Diff	2019	2024	% Diff	2019	2024	% Diff
Androscoggin	396	857	116.4%	1,343	1,565	16.5%	40	13	-67.5%	1,779	2,435	36.9%
Aroostook	403	566	40.4%	759	828	9.1%	38	29	-23.7%	1,200	1,423	18.6%
Caribou	71	107	50.7%	174	150	-13.8%	8	4	-50.0%	253	261	3.2%
Fort Kent	46	90	95.7%	124	177	42.7%	7	3	-57.1%	177	270	52.5%
Houlton	126	150	19.0%	153	218	42.5%	13	17	30.8%	292	385	31.8%
Presque Isle	160	219	36.9%	308	283	-8.1%	10	5	-50.0%	478	507	6.1%
Cumberland	885	1,421	60.6%	2,668	3,626	35.9%	216	141	-34.7%	3,769	5,188	37.6%
Bridgton	11	22	100.0%	191	346	81.2%	83	64	-22.9%	285	432	51.6%
Portland	859	1,382	60.9%	2,143	2,835	32.3%	94	57	-39.4%	3,096	4,274	38.0%
West Bath	15	17	13.3%	334	445	33.2%	39	20	-48.7%	388	482	24.2%
Franklin	87	138	58.6%	330	369	11.8%	23	10	-56.5%	440	517	17.5%
Hancock	204	372	82.4%	483	560	15.9%	66	57	-13.6%	753	989	31.3%
Kennebec	374	564	50.8%	1,250	1,398	11.8%	71	11	-84.5%	1,695	1,973	16.4%
Augusta	364	528	45.1%	661	891	34.8%	48	7	-85.4%	1,073	1,426	32.9%
Waterville	10	36	260.0%	589	507	-13.9%	23	4	-82.6%	622	547	-12.1%
Knox	150	194	29.3%	341	473	38.7%	6	10	66.7%	497	677	36.2%
Lincoln	97	152	56.7%	260	392	50.8%	6	14	133.3%	363	558	53.7%
Oxford	208	464	123.1%	545	854	56.7%	23	25	8.7%	776	1,343	73.1%
Bridgton	20	46	130.0%	78	62	-20.5%	8	1	-87.5%	106	109	2.8%
Rumford	89	184	106.7%	216	349	61.6%	6	5	-16.7%	311	538	73.0%
South Paris	99	234	136.4%	251	443	76.5%	9	19	111.1%	359	696	93.9%
Penobscot	382	844	120.9%	1,173	1,676	42.9%	87	71	-18.4%	1,642	2,591	57.8%
Bangor	373	815	118.5%	913	1,270	39.1%	56	17	-69.6%	1,342	2,102	56.6%
Lincoln	5	6	20.0%	89	154	73.0%	13	35	169.2%	107	195	82.2%
Newport	4	23	475.0%	171	252	47.4%	18	19	5.6%	193	294	52.3%
Piscataquis	24	30	25.0%	54	69	27.8%	4	32	700.0%	82	131	59.8%
Sagadahoc	91	169	85.7%	305	407	33.4%	22	17	-22.7%	418	593	41.9%
Somerset	143	277	93.7%	479	449	-6.3%	47	8	-83.0%	669	734	9.7%
Waldo	100	198	98.0%	286	326	14.0%	11	5	-54.5%	397	529	33.2%
Washington	107	130	21.5%	188	231	22.9%	46	28	-39.1%	341	389	14.1%
Calais	42	62	47.6%	95	96	1.1%	17	12	-29.4%	154	170	10.4%
Machias	65	68	4.6%	93	135	45.2%	29	16	-44.8%	187	219	17.1%
York	724	861	18.9%	2,506	2,861	14.2%	102	61	-40.2%	3,332	3,783	13.5%
TOTAL	4,375	7,237	65.4%	12,970	16,084	24.0%	808	532	-34.2%	18,153	23,853	31.4%

Columns	
2019	Number of cases having at least one charge without a disposition, and without a currently active warrant as of August 9, 2019
2024	Number of cases having at least one charge without a disposition, and without a currently active warrant as of August 9, 2024
% Diff	Percent change in pending cases from 2019 to 2024. 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.

Chapter 5: CO-COUNSEL REQUIREMENTS.

Summary: This Chapter establishes a process for requesting Co-counsel, expectations of Co-counsel, parameters for payment of Co-counsel, and guidelines for the delegation of tasks in assigned cases.

SECTION 1. DEFINITIONS.

1. Executive Director. “Executive Director” means the Executive Director of the Maine Commission on Public Defense Services (PDS) or the Executive Director’s decision-making designee.
2. Court-Assigned Counsel. “Court-Assigned Counsel” means private counsel licensed to practice law in Maine, designated eligible to receive an assignment to a particular case, and initially assigned by a Court to represent a particular client in a particular matter. For the purposes of this rule, “Court-Assigned Counsel” does not include any employee of PDS.
3. Commission-Assigned Counsel. “Commission-Assigned Counsel” means private counsel licensed to practice in Maine, designated eligible to be assigned to provide a particular service or to represent a particular client in a particular matter, and assigned by PDS to provide that service or represent a client. For the purposes of this rule, “Commission-Assigned Counsel” does not include any employee of PDS.
4. Counsel. “Counsel” means a Court-Assigned Counsel or Commission-Assigned Counsel, or both. For purposes of this rule, “Counsel” does not include any employee of PDS.
5. Co-counsel. “Co-counsel” means an attorney who works with another attorney on a particular case. Both attorneys must be counsel of record, professionally responsible for the case, and actively participate in the representation of the client.
6. Contested Hearing. “Contested Hearing” means a hearing at which a contested issue is submitted to the court for resolution after evidence is taken or witnesses are presented.
7. Eligible. “Eligible” means the status assigned to an attorney who has satisfied all the requirements of Chapter 2, has satisfied all requirements of Chapter 3 for any applicable Specialized Panels, has applied and been approved by the Commission to receive assignments of the applicable case type, is current on their annual renewal, and is not under suspension by the Commission.
8. Substantive Meeting. “Substantive Meeting” means phone calls, emails, face-to-face

meetings, and the like, with clients about matters which materially affect the disposition of the case.

9. Substantive Appearance. "Substantive Appearance" includes, without limitation: bail hearings, contested motions hearings, dispositional conferences at which material discussions about the case occur, adjudicatory hearings, jury selection, trial, contested sentencing hearing, commitment hearings, appellate oral argument, hearings on preliminary protective orders, jeopardy hearings, judicial reviews, entry of a plea agreement, and hearings on petitions for termination of parental rights.
10. Informed Consent. "Informed consent" means a person's agreement to a proposed course of conduct after the lawyer has communicated adequate information and explanation about the material risks of and reasonably available alternatives to the proposed course of conduct. Whether a client has given informed consent to representation shall be determined in light of the mental capacity of the client to give consent, the explanation of the advantages and risks involved provided by the lawyer seeking consent, the circumstances under which the explanation was provided and the consent obtained, the experience of the client in legal matters generally, and any other circumstances bearing on whether the client has made a reasoned and deliberate choice.

SECTION 2. PROCEDURE FOR REQUESTING CO-COUNSEL.

The procedure for requesting Co-counsel is as follows:

1. Prior to seeking appointment of Co-counsel from a court, Counsel must first obtain written authorization from the Executive Director. An attorney seeking such authorization shall submit a written request in a form designated by the Executive Director. The request must include:
 - A. The name of the client;
 - B. The type of case. If it is a criminal matter, the charge(s);
 - C. The docket number(s);
 - D. The reason Co-counsel is requested;
 - E. Whether there is already Co-counsel assigned to represent the client in the matter; and
 - F. The name of the prospective Co-counsel.
2. If the Executive Director authorizes Co-counsel, the assigned attorney must file with the applicable court a motion for appointment of Co-counsel. That motion must state that PDS has authorized the request for Co-counsel.
3. Counsel may only seek appointment of Co-counsel who is Eligible to receive PDS case assignments, but only one of the attorneys needs to have Chapter 3 eligibility for any

Specialized Panel.

SECTION 3. PARAMETERS FOR CO-COUNSEL REQUESTS.

1. The presumption is that PDS will only pay for one attorney per case. PDS will only pay for more than one attorney per case when PDS approves a Co-counsel request pursuant to this Chapter.

Formatted: Highlight

4.2. The Executive Director has broad discretion in determining whether a Co-counsel request will be granted, but requests will be granted liberally.

Formatted: Indent: Left: 0.5", No bullets or

2.3. Co-counsel requests will be reviewed from a client-centric perspective.

3.4. Absent extraordinary circumstances, the Executive Director will not authorize more than two attorneys to serve as Co-counsel for a particular client in a particular matter.

4.5. If Counsel does not obtain written authorization for Co-counsel from the Executive Director prior to seeking appointment of Co-counsel, then the Co-counsel will not be paid for any work on the case.

5.6. Co-counsel does not need to be requested for Co-counsel's work to be compensable if:

- A. The attorney assigned and co-counsel work in the same law firm;
- B. Co-counsel is Eligible pursuant to Chapter 2 of the Commission rules. Co-counsel does not need to be eligible for the applicable Chapter 3 Specialized Panel as long as the attorney assigned to the case is Eligible;
- C. The attorney who was not assigned to the case will not be appearing in court on behalf of the client, engaging in negotiations related to the case, or having Substantive Meetings with the client; and
- D. The attorney(s) who was/were not assigned to represent the client will be spending no more than a combined total of three hours of work on the client's matter(s) unless Counsel receives prior written authorization from the Executive Director.

SECTION 4. EXPECTATIONS OF CO-COUNSEL.

1. When Co-counsel is assigned:

- A. Each Co-counsel must enter a case for that client in the PDS electronic case management system.
- B. Time entries for each Co-counsel must be maintained in their own case entries for that client in the PDS electronic case management system.
- C. Each Co-counsel must be actively engaged in the representation of the client.

- D. At least one Eligible Co-counsel must be present for all Substantive Meetings.
- E. At least one Eligible Co-counsel must be present for every Substantive Appearance.
- F. Counsel must avoid unnecessary duplication of effort.

SECTION 5. VERTICAL REPRESENTATION.

1. Counsel may delegate tasks related to the representation of an assigned client to another Eligible attorney only to the extent consistent with ~~the assigned attorney's~~ Counsel's duties to the client under the Constitutions of the United States and the State of Maine, the Maine Rules of Professional Responsibility, applicable PDS rules, and to the extent consistent with this Chapter. The assigned attorney is nevertheless responsible to PDS and to the client individually for all services provided by any attorney during the period of the assignment.
2. The following tasks may not be delegated: hearings on dispositive motions; jury selection; trials; sentencing hearings; summary preliminary hearings; jeopardy hearings; contested judicial reviews; hearings on petitions for termination of parental rights; appellate oral arguments; or plea agreements, unless all the terms have been fully negotiated, reviewed with the client by the attorney assigned to represent them, and agreed to by the client.
3. Delegation of any task may only occur subject to the following:
 - A. Questions related to the delegation of any task must be resolved from a client-centric perspective.
 - B. Delegation shall be an exception to the expectation that Counsel will personally provide continuous representation of assigned clients.
 - C. Delegation of any task may be made only to Eligible attorneys.
 - D. Delegation of any task may be made only with informed client consent.
4. If an attorney cannot appear to represent a client at an appearance for which delegation is prohibited, Counsel may, with informed client consent, seek the assignment of Co-counsel in the matter. Where appropriate and permitted by rule, the appearance of Co-counsel may be limited.
5. In the context of delegation of an appearance for an assigned client, informed client consent shall include informed consent from the client to reveal those confidences and secrets as are necessary to the delegated representation.
 - A. "Confidence" refers to information protected by the attorney-client privilege under applicable law, and "secret" refers to other information relating to the representation if there is a reasonable prospect that revealing the information will adversely affect a material interest of the client or if the client has instructed the lawyer not to reveal such information.

- B. Counsel shall document the client's informed consent prior to delegating an appearance. Where possible that informed consent shall be in writing and signed by the client. Counsel shall maintain documentation of consent and shall provide it to PDS on request.
6. If a task is delegated pursuant to this Chapter, the attorney to whom the task was delegated must enter a case in the PDS electronic case management system and bill their time under that case entry. Case entry, closure, and billing must be conducted in accordance with the applicable PDS rules.

SECTION 6. NON-COMPENSABLE TASKS.

Work performed solely for the purpose of carrying out the attorney's obligations pursuant to Maine Rule of Professional Conduct 5.1 is non-compensable. Collaborative work that furthers a client's interests in a case is compensable.

The following tasks are non-compensable:

Supervision of any kind whether over Co-counsel or over the file generally, this includes but is not limited to an attorney's obligations pursuant to Maine Rule of Professional Conduct 5.1. However, this does not preclude compensation for time spent mentoring a less experienced attorney if that is the purpose of the Co-counsel request.