

**MAINE COMMISSION ON
PUBLIC DEFENSE SERVICES**

November 19, 2024

**Commissioner's
Meeting Packet**

MAINE COMMISSION ON PUBLIC DEFENSE SERVICES

NOVEMBER 19, 2024 MEETING AGENDA

- 1) Approval of the October 15, 2024 Commission Meeting Minutes
- 2) Executive Session
- 3) Report of the Executive Director
 - a. Operations report
 - b. Public Defender staffing and office report
 - c. Budget discussion
- 4) Rulemaking discussion – Chapter 5 co-counsel rule
- 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 15, 2024
Meeting Minutes**

Commissioners Present: Donald Alexander, Michael Carey, Roger Katz, Kimberly Monaghan, & Joshua Tardy

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

Agenda Item:	Discussion/Outcome:
Approval of the September 17, 2024 Meeting Minutes	Chair Tardy moved to approve the minutes, seconded by Commissioner Alexander. Commissioner Alexander, Commissioner Monaghan, and Chair Tardy voted in the affirmative. Commissioner Katz abstained. The motion prevailed.
Executive Session	Commissioner Katz moved to go into the executive session pursuant to 1 MRSA § 405(6)(E), seconded by Commissioner Alexander. All voted in favor; motion prevailed, and the Commission went into executive session. The Commission returned from executive session.
Report of the Executive Director	<p>Executive Director Billings provided the following report:</p> <p><u>Operations report:</u> Recent trends continue, with a slight decrease in new cases coming into the system. We still have the backlog. Billable hours are averaging 25,736 per month, which is 308,832 hours annually. The amount paid is up approximately 20% over this time last year. There’s also approximately \$2 million in unbilled hours based on the unrepresented list. As of last week, there were 137 attorneys on the active roster. 90 of those attorneys were accepting trial-level cases. There were 32 attorneys accepting new adult criminal cases and 29 accepting child protective cases.</p> <p><u>Public Defender Offices:</u> Parents Counsel Division- Molly Owens has started as the Division Chief. We have drafted three FJAs and submitted them to HR to move RDU positions to parents counsel positions. There are over 100 people on the unrepresented list for PC cases.</p> <p>Capital Region- All six attorney positions have been filled since late last year. One of the paralegals is an attorney and has started in the Bangor office. Our first investigator starts in December.</p>

Agenda Item:	Discussion/Outcome:
	<p>Bangor- Brittanie transferred from the RDU. An ADI is going to start in December. The other ADI position in Bangor has been moved to Lewiston. We had a lot more applicants for the Lewiston office. One of the ADII positions will be sent from Lewiston to Bangor. Bangor has a legal administrator. An offer is going out for the investigator position. They have the office, but no furniture yet.</p> <p>Caribou- James and Emily have been taking <i>ad hoc pro hac vice</i> assignments and helping attorneys with their cases. The passage of Rule 11C allows them to be provisionally licensed while their Rule 11A application is pending. We are hopeful that their Rule 11C applications will be approved soon. Once that happens, they will take cases and the RDU attorneys who are planning to shift to other offices can fully transition to those offices.</p> <p>Downeast- Is fully staffed with attorneys. We are hoping to have access to the physical office by November 1st.</p> <p>Lewiston- Has four ADI and two ADII positions. We have made offers to several attorneys. There have been a lot of local attorneys interested in these positions. We have one unfilled ADII position that will be reposted.</p> <p>Commissioner Katz asked where we will be at with capacity in light of the newly hired public defenders. Executive Director Billings explained that the impact employed counsel will have varies by county.</p>
Chapter 3	<p>Executive Director Billings explained that the emergency changes to Chapter 3 expire on October 29, 2024. About half the cases on the unrepresented list are Chapter 3 cases. The numbers for annual renewal are essentially flat compared to last year.</p> <p>The changes regarding waivers and letters of reference have not made a significant impact on the number of applicants for Specialized Panels. Two applications were approved based on the emergency rule. Given the opposition expressed by the public and commissioners, and the minimal impact of the changes, the staff recommendation is to not adopt many of the changes in full rulemaking. Staff are recommending a change to the requirement regarding letters of reference. That proposal would permit</p>

Agenda Item:	Discussion/Outcome:
	<p>an attorney to list references instead of requiring written letters of recommendation, then PDS staff could contact some of those references.</p> <p>Another staff recommendation is to repeal section 4(3) of Chapter 3. Executive Director Billings explained that, now that trainings are available on-demand through Talent LMS, there is no reason to keep that provision. Additionally, there is currently no enforcement mechanism in place to remove an attorney from the roster if they are granted a conditional CLE waiver but fail to complete the required CLEs.</p> <p>Chair Tardy expressed support for allowing the emergency rule to lapse. Commissioner Carey expressed support for the change regarding letters of reference.</p> <p>Commissioner Katz asked about the impact that the lapsing of the emergency rule would have on the criminal defense versus criminal law experience requirement. Executive Director Billings explained that the hybrid approach in the emergency rule would lapse.</p> <p>Commissioner Alexander to adopt the proposed changes and move forward with the public hearing and public comment for the December Commission meeting. Seconded by Commissioner Carey. All voted in favor. Motion prevailed.</p>
Public Comment	<p><u>Rob Ruffner, Esq.</u>: Many attorneys who do the 7-day reviews are frustrated by the arguments by the State and our perceived lack of progress in terms of the rulings from courts. The number of unrepresented persons continue to increase and we don't notice a difference in the charging decisions as it relates to the right to counsel. For example, we continue to see shoplifting charges from big box stores or shoplifting food charged as felonies based on priors. Attorneys for the state continue to charge and make offers on cases as if there is not an issue with providing counsel. There needs to be a conversation between the defense entity and the AG about this. There are instances in which people are held in jail for longer than the time offered by the State. I want the Commission to take up this issue at a future Commission meeting.</p>
Adjournment	The next meeting will be held on November 19, 2024 at 1:00PM.

MAINE COMMISSION ON PUBLIC DEFENSE SERVICES

October 2024 Operations Report

- 2,409 new cases were opened in the defenderData system. This was a 110 case decrease from September. Year to date, new cases are basically flat from last year, from 8,903 at this time last year to 8,973 this year.
- The number of vouchers submitted electronically was 3,917, an increase of 450 vouchers from September, totaling \$4,042,967, an increase of \$362,718 from September. Year to date, the number of submitted vouchers is up by approximately 14.5%, from 12,711 at this time last year to 14,558 this year, with the total amount for submitted vouchers up approximately 23.1%, from \$12,308,917 at this time last year to \$15,154,904 this year.
- We paid 3,979 electronic vouchers totaling \$4,023,126, representing an increase of 371 vouchers and an increase of \$480,768 compared to September. Year to date, the number of paid vouchers is up approximately 10.5%, from 13,198 vouchers at this time last year to 14,584 this year, and the total amount paid is up approximately 18.1%, from \$12,552,099 this time last year to \$14,831,622 this year.
- The average price per voucher was \$1,011.09 up \$29.28 per voucher from September. Year to date, the average price per voucher is up approximately 6.9%, from \$951.06 at this time last year to \$1,016.98 this year.
- Appeal and Petition, Release or Discharge had the highest average voucher total. There were 28 vouchers exceeding \$7,500 paid in October. See attached addendum for details.
- We issued 181 authorizations to expend funds: 89 for private investigators, 63 for experts, and 29 for miscellaneous services such as interpreters and transcriptionists. We paid \$147,484 for experts and investigators, etc. No requests were denied.
- There were no attorney suspensions.
- In the All Other Account, the total expenses were \$4,245,512. Approximately \$74,902 was devoted to the Commission's operating expenses.
- In the Personal Services Accounts, we had \$549,471 in expenses.
- The September transfer from the Judicial Branch for collected counsel fees was \$23,146.
- As of November 13, 2024, there are 140 rostered attorneys of which 93 are available for trial court level work.
- For the first 4 months of this fiscal year, submitted hours are up approximately 14.5% over the same 4-month period last year. October 2024 submitted hours are 25.5% greater than October 2023 submitted hours.

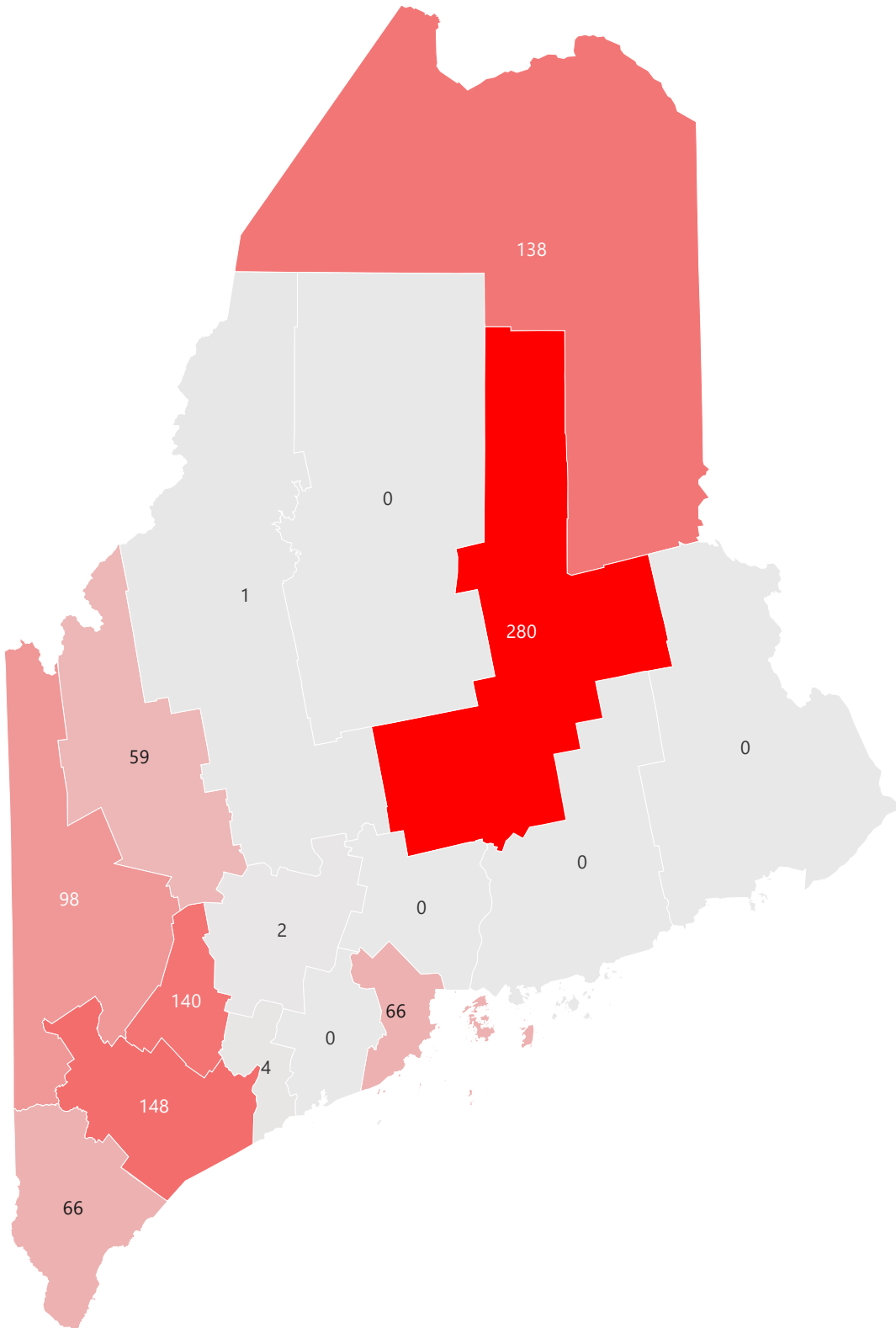
Submitted Hours													
	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June	Yearly Total
FY21	13,652	15,225	17,333	20,420	17,399	17,244	19,813	17,753	31,671	17,869	19,037	19,270	226,687
FY22	19,764	21,749	19,882	22,228	17,828	17,286	22,006	21,357	24,885	19,723	19,551	21,195	247,454
FY23	19,890	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	26,409	24,765	27,393									104,599

Vouchers over \$7,500

Comment	Voucher Total	Case Total
Gross Sexual Assault	\$77,677.70	\$82,357.48
Homicide	\$47,343.00	\$47,343.00
Gross Sexual Assault	\$26,406.39	\$26,406.39
Domestic Violence Assault	\$21,195.00	\$21,195.00
Aggravated Trafficking	\$16,695.00	\$16,695.00
Forgery	\$15,930.00	\$30,373.00
Homicide	\$15,916.50	\$40,504.09
Child Protection Petition	\$12,309.10	\$13,383.20
Robbery	\$11,843.74	\$11,843.74
Child Protection Petition	\$11,325.00	\$11,325.00
Gross Sexual Assault	\$11,277.00	\$11,277.00
Homicide	\$11,107.50	\$39,309.00
Burglary	\$10,841.90	\$10,841.90
Termination of Parental Rights	\$10,755.00	\$14,745.00
Termination of Parental Rights	\$10,425.00	\$18,705.00
Aggravated Trafficking	\$9,342.48	\$9,342.48
Appeal	\$9,279.83	\$9,279.83
Aggravated Assault	\$9,267.84	\$9,267.84
Theft by Deception	\$9,180.00	\$9,180.00
Appeal	\$9,070.00	\$24,725.09
Domestic Violence Aggravated Assault	\$8,523.81	\$8,523.81
Appeal	\$8,189.47	\$8,189.47
Termination of Parental Rights	\$8,137.00	\$8,137.00
Theft	\$8,026.28	\$8,026.28
Child Protection Petition	\$7,964.89	\$7,964.89
Unlawful Sexual Contact	\$7,860.00	\$7,860.00
Gross Sexual Assault	\$7,818.00	\$7,818.00
Domestic Violence Assault	\$7,590.00	\$12,600.00

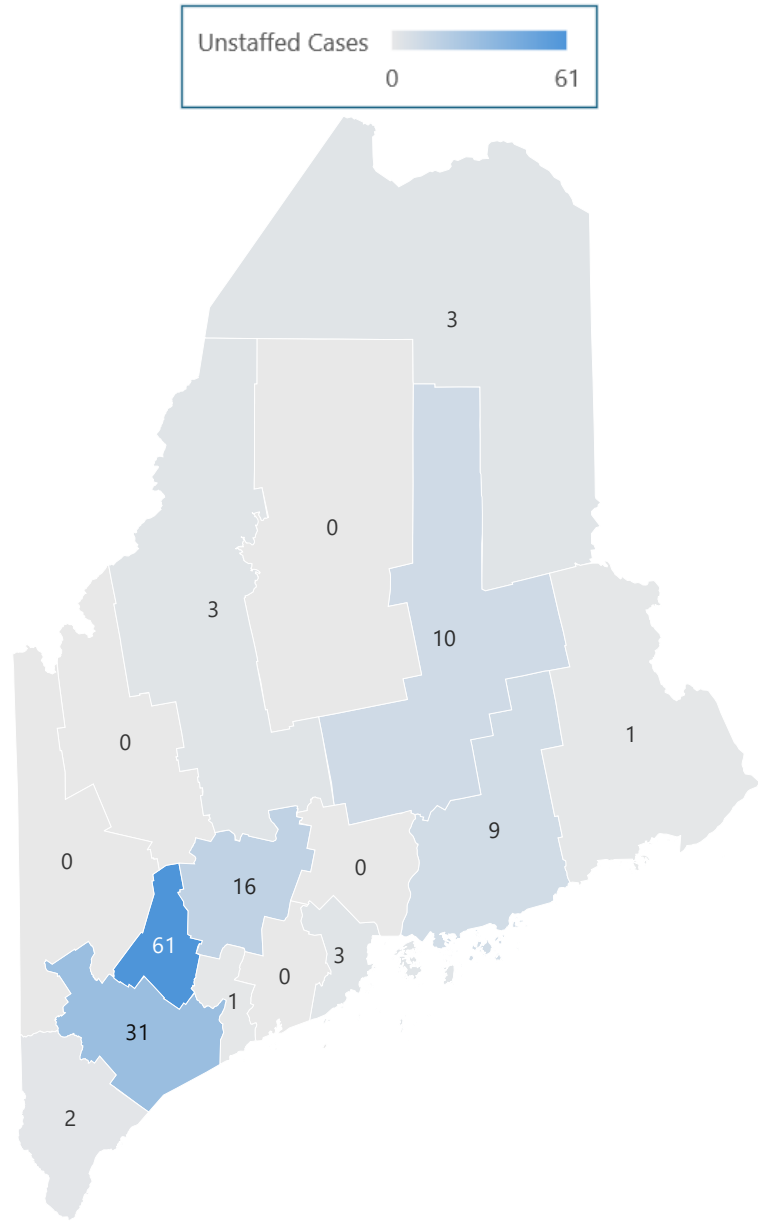
Unstaffed Criminal Cases By County 11/13/2024

Unstaffed Cases 0 280



Powered by Bing
© GeoNames, TomTom

Unstaffed CPP Cases By County 11/13/2024



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

FY25 As of 11/14/2024

<u>General Funds - 010-Z11201</u>	<u>QTR1</u>	<u>QTR2</u>	<u>QTR3</u>	<u>QTR4</u>	<u>TOTAL</u>
Personal Services Allotment	\$ 2,857,398	\$ 3,478,475	\$ 2,003,321	\$ 763,952	\$ 9,103,146
Payroll to date	(1,145,606)	(768,159)	-	-	(1,913,765)
Estimated payroll remaining	-	(1,063,603)	(1,300,237)	(1,300,237)	(3,664,076)
Total Personal Services available	\$ 1,711,792	\$ 1,646,713	\$ 703,084	\$ (536,285)	\$ 3,525,304
All Other Allotment	\$ 11,660,730	\$ 13,395,842	\$ 8,908,892	\$ 3,908,886	\$ 37,874,350
Expenditures to date	(11,612,366)	(5,946,402)	-	-	(17,558,769)
Encumbrances	(48,364)	(143,606)	-	-	(191,970)
Total All Other Available	\$ 0	\$ 7,305,834	\$ 8,908,892	\$ 3,908,886	\$ 20,123,612

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	\$ -	\$ -	\$ -	\$ -	\$ -
Payroll to date	-	-	-	-	-
Estimated payroll remaining	-	-	-	-	-
Total Personal Services available	\$ -	\$ -	\$ -	\$ -	\$ -
All Other Allotment	\$ 8,200	\$ 8,679,940	\$ 482,219	\$ 482,219	\$ 9,652,578
Expenditures to date	(8,200)	-	-	-	(8,200)
Encumbrances	-	-	-	-	-
Total All Other Available	\$ -	\$ 8,679,940	\$ 482,219	\$ 482,219	\$ 9,644,378

CASH ON HAND 11/14/2024 \$ 9,463,589.59

<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	\$ -	\$ 57,000	\$ -	\$ -	\$ 57,000
Expenditures to date	-	(1,500)	-	-	(1,500)
Encumbrances	-	-	-	-	-
Total All Other Available	\$ -	\$ 55,500	\$ -	\$ -	\$ 55,500

CASH ON HAND 11/14/2024 \$ 5,960.66

<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 11/14/2024 \$ -

<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
Expenditures to date	-	-	-	-	-
Encumbrances	-	-	-	-	-
Total All Other Available	\$ -	\$ -	\$ -	\$ 1,500,000	\$ 1,500,000

Requesting deduction to \$500

CASH ON HAND 11/14/2024 \$ -

MAINE COMMISSION ON PUBLIC DEFENSE SERVICES

Activity Report by Case Type

10/31/2024

DefenderData Case Type	Oct-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	10	25	\$78,675.52	23	\$ 69,805.55	\$3,035.02	52	109	\$ 262,122.98	\$2,404.80
Central Office Resource Counsel	0	2	\$405.00	3	\$ 465.00	\$155.00	0	10	\$ 11,700.00	\$1,170.00
Child Protection Petition	171	603	\$760,863.86	563	\$ 736,930.18	\$1,308.93	617	2,056	\$ 2,623,723.85	\$1,276.13
Drug Court	8	18	\$36,124.50	15	\$ 29,937.00	\$1,995.80	29	67	\$ 133,388.50	\$1,990.87
Emancipation	9	9	\$8,421.50	7	\$ 11,716.00	\$1,673.71	38	25	\$ 23,800.15	\$952.01
Felony	596	1,084	\$1,561,748.79	1,186	\$ 1,574,821.26	\$1,327.84	2,375	4,001	\$ 5,357,482.40	\$1,339.04
Involuntary Civil Commitment	109	121	\$67,002.50	123	\$ 70,208.50	\$570.80	409	417	\$ 216,321.70	\$518.76
Juvenile	124	159	\$130,464.43	162	\$ 123,879.76	\$764.69	396	587	\$ 554,736.20	\$945.04
Lawyer of the Day - Custody	272	271	\$187,406.60	264	\$ 186,541.50	\$706.60	1,163	1,177	\$ 813,597.80	\$691.25
Lawyer of the Day - Juvenile	1	0		0			18	29	\$ 15,098.30	\$520.63
Lawyer of the Day - Walk-in	103	116	\$80,218.10	121	\$ 84,305.20	\$696.74	538	533	\$ 352,323.80	\$661.02
MCILS Provided Training	132	77	\$109,251.58	61	\$ 107,889.37	\$1,768.68	344	228	\$ 212,375.69	\$931.47
Misdemeanor	694	1,159	\$804,183.47	1,175	\$ 804,812.58	\$684.95	3,180	4,227	\$ 3,090,897.19	\$731.23
Petition, Modified Release Treatment	0	0		3	\$ 3,538.00	\$1,179.33	4	10	\$ 16,748.50	\$1,674.85
Petition, Release or Discharge	0	0		2	\$ 5,158.00	\$2,579.00	1	7	\$ 14,900.00	\$2,128.57
Petition, Termination of Parental Rights	0	10	\$6,726.50	9	\$ 9,311.00	\$1,034.56	0	40	\$ 74,343.06	\$1,858.58
Post Conviction Review	2	13	\$12,547.14	13	\$ 8,610.00	\$662.31	6	62	\$ 125,245.37	\$2,020.09
Probate	1	3	\$4,548.24	5	\$ 8,070.00	\$1,614.00	6	16	\$ 31,914.67	\$1,994.67
Probation Violation	127	146	\$103,339.40	161	\$ 114,181.65	\$709.20	566	635	\$ 518,806.94	\$817.02
Represent Witness on 5th Amendment	4	2	\$5,466.00	0			9	6	\$ 3,795.00	\$632.50
Resource Counsel Criminal	0	4	\$3,421.00	5	\$ 3,120.00	\$624.00	0	16	\$ 9,495.00	\$593.44
Resource Counsel Juvenile	0	1	\$195.00	1	\$ 195.00	\$195.00	0	4	\$ 480.00	\$120.00
Resource Counsel Mental Health	0	0		1	\$ 180.00	\$180.00	0	2	\$ 315.00	\$157.50
Resource Counsel NCR	0	0		0			0	0		
Resource Counsel Protective Custody	0	2	\$3,750.00	3	\$ 1,905.00	\$635.00	0	8	\$ 6,915.00	\$864.38
Review of Child Protection Order	0	45	\$53,116.58	42	\$ 49,268.50	\$1,173.06	0	217	\$ 298,394.60	\$1,375.09
Revocation of Administrative Release	1	1	\$540.00	1	\$ 540.00	\$540.00	1	4	\$ 6,465.00	\$1,616.25
Weapons Restrictions Case	45	46	\$24,552.00	30	\$ 17,737.00	\$591.23	121	91	\$ 56,235.58	\$617.97
TOTAL	2,409	3,917	\$4,042,967.71	3,979	\$ 4,023,126.05	\$1,011.09	9,873	14,584	\$ 14,831,622.28	\$1,016.98

MAINE COMMISSION ON PUBLIC DEFENSE SERVICES

Activity Report by Court

10/31/2024

Court	Oct-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	1	3	\$1,965.00	2	\$ 1,785.00	\$892.50	3	3	\$ 3,000.00	\$1,000.00
AUBSC	3	3	\$3,270.00	3	\$ 3,270.00	\$1,090.00	5	10	\$ 9,745.00	\$974.50
AUGDC	35	77	\$139,556.88	86	\$ 147,687.71	\$1,717.30	137	269	\$ 448,800.45	\$1,668.40
AUGSC	4	1	\$480.00	6	\$ 9,176.00	\$1,529.33	13	20	\$ 35,629.00	\$1,781.45
BANDC	69	163	\$103,676.80	117	\$ 77,544.30	\$662.77	252	392	\$ 288,787.80	\$736.70
BANSC	2	0		0			3	3	\$ 2,244.60	\$748.20
BATSC	0	0		0			0	0		
BELDC	24	21	\$20,425.68	15	\$ 16,100.35	\$1,073.36	39	62	\$ 63,183.92	\$1,019.10
BELSC	0	1	\$2,470.00	1	\$ 2,470.00	\$2,470.00	0	1	\$ 2,470.00	\$2,470.00
BIDDC	50	106	\$127,417.14	106	\$ 129,836.14	\$1,224.87	186	361	\$ 348,353.15	\$964.97
BRIDC	11	15	\$23,389.00	19	\$ 21,414.10	\$1,127.06	44	67	\$ 74,044.79	\$1,105.15
CALDC	3	7	\$6,941.50	10	\$ 8,351.70	\$835.17	16	38	\$ 23,471.40	\$617.67
CARDC	11	10	\$9,984.50	13	\$ 14,072.00	\$1,082.46	30	70	\$ 86,861.30	\$1,240.88
CARSC	1	0		0			2	1	\$ 300.00	\$300.00
DOVDC	7	9	\$7,476.50	5	\$ 5,361.50	\$1,072.30	15	35	\$ 36,988.50	\$1,056.81
DOVSC	1	1	\$ 135.00	0			1	0		
ELLDC	9	46	\$48,694.00	39	\$ 44,227.00	\$1,134.03	35	126	\$ 140,639.50	\$1,116.19
ELLSC	0	0		0			1	1	\$ 1,382.00	\$1,382.00
FARDC	23	20	\$27,984.08	16	\$ 19,953.55	\$1,247.10	69	69	\$ 72,943.76	\$1,057.16
FARSC	1	0		0			2	1	\$ 1,005.00	\$1,005.00
FORDC	5	10	\$8,485.50	9	\$ 5,613.00	\$623.67	10	42	\$ 30,355.00	\$722.74
HOUDC	6	15	\$14,550.00	11	\$ 8,985.00	\$816.82	28	60	\$ 63,257.68	\$1,054.29
HOUSC	0	0		0			0	1	\$ 585.00	\$585.00
LEWDC	53	90	\$97,344.48	124	\$ 131,023.98	\$1,056.65	169	375	\$ 427,418.09	\$1,139.78
LINDC	5	6	\$2,628.00	8	\$ 8,040.74	\$1,005.09	24	36	\$ 38,155.88	\$1,059.89
MACDC	4	15	\$13,990.00	12	\$ 14,199.00	\$1,183.25	10	49	\$ 65,027.00	\$1,327.08
MACSC	1	1		0			2	0		
MADDC	1	0		0			1	0		
MILDC	0	0		0			2	3	\$ 17,344.12	\$5,781.37
NEWDC	12	35	\$20,040.00	20	\$ 11,215.00	\$560.75	41	101	\$ 73,221.00	\$724.96
PORDC	71	129	\$126,857.95	109	\$ 102,744.45	\$942.61	250	472	\$ 494,312.17	\$1,047.27
PORSC	3	5	\$10,459.44	4	\$ 8,295.00	\$2,073.75	5	9	\$ 15,053.50	\$1,672.61
PREDC	9	14	\$18,509.00	19	\$ 21,357.50	\$1,124.08	26	77	\$ 115,460.69	\$1,499.49
RODC	19	20	\$28,705.50	20	\$ 29,575.50	\$1,478.78	59	81	\$ 88,984.26	\$1,098.57
ROSC	1	1	\$330.00	1	\$ 330.00	\$330.00	2	2	\$ 975.00	\$487.50
RUMDC	8	24	\$27,260.50	24	\$ 28,772.10	\$1,198.84	24	98	\$ 148,129.51	\$1,511.53
SKODC	25	67	\$73,649.00	81	\$ 93,881.62	\$1,159.03	80	255	\$ 300,650.79	\$1,179.02
SKOSC	0	0		0			0	0		
SOUDC	1	15	\$16,403.60	20	\$ 19,357.60	\$967.88	13	61	\$ 82,720.98	\$1,356.08
SOUSC	1	1	\$930.00	0			2	2	\$ 1,125.00	\$562.50
SPRDC	3	21	\$19,238.74	15	\$ 12,022.00	\$801.47	11	50	\$ 77,928.50	\$1,558.57
Law Ct	7	20	\$59,161.08	17	\$ 52,185.55	\$3,069.74	42	94	\$ 219,165.96	\$2,331.55
Training	126	76	\$105,846.58	64	\$ 109,089.37	\$1,704.52	337	242	\$ 229,865.69	\$949.86
YORCD	294	553	\$596,589.00	542	\$ 529,293.86	\$976.56	1,149	1,722	\$ 1,898,799.22	\$1,102.67
AROCD	140	214	\$236,200.35	248	\$ 265,288.28	\$1,069.71	608	949	\$ 888,851.91	\$936.62
ANDCD	186	314	\$236,424.21	330	\$ 323,982.81	\$981.77	772	1,205	\$ 1,094,392.64	\$908.21
KENCD	171	189	\$165,093.47	215	\$ 190,077.81	\$884.08	584	810	\$ 721,172.08	\$890.34
PENCD	193	320	\$346,936.43	303	\$ 316,863.13	\$1,045.75	918	1,129	\$ 1,148,482.31	\$1,017.26
SAGCD	71	65	\$60,808.36	52	\$ 48,783.86	\$938.15	191	194	\$ 195,023.40	\$1,005.28
WALCD	53	56	\$129,561.72	53	\$ 48,685.01	\$918.59	227	226	\$ 230,268.53	\$1,018.89
PISCD	12	25	\$21,651.60	12	\$ 29,161.50	\$2,430.13	55	68	\$ 72,653.50	\$1,068.43
HANCD	20	83	\$56,407.00	94	\$ 58,703.10	\$624.50	186	347	\$ 294,420.75	\$848.47
FRACD	31	47	\$37,144.45	55	\$ 39,645.35	\$720.82	138	242	\$ 203,553.27	\$841.13
WASCD	43	52	\$114,525.69	57	\$ 50,332.50	\$883.03	199	232	\$ 222,279.83	\$958.10
CUMCD	290	555	\$494,095.54	582	\$ 555,451.69	\$954.38	1,503	2,037	\$ 2,113,125.40	\$1,037.37
KN OCD	50	57	\$47,431.20	69	\$ 48,587.20	\$704.16	281	262	\$ 224,590.56	\$857.22
SOMCD	91	83	\$90,999.75	92	\$ 100,207.79	\$1,089.22	389	465	\$ 393,495.23	\$846.23
OXFCD	70	105	\$90,504.38	129	\$ 105,220.76	\$815.66	322	482	\$ 392,853.29	\$815.05
LINCD	44	51	\$54,159.15	53	\$ 61,859.68	\$1,167.16	197	209	\$ 204,925.54	\$980.50
WATDC	16	48	\$48,850.50	40	\$ 35,424.50	\$885.61	75	174	\$ 184,985.80	\$1,063.14
WESDC	10	32	\$34,230.56	34	\$ 40,055.56	\$1,178.10	45	109	\$ 119,799.25	\$1,099.08
WISDC	4	17	\$12,153.90	19	\$ 15,218.40	\$800.97	30	62	\$ 67,440.28	\$1,087.75
WISSC	0	0		0			0	0		
YORDC	4	3	\$945.00	4	\$ 2,346.50	\$586.63	12	18	\$ 29,371.00	\$1,631.72
TOTAL	2,409	3,917	\$4,042,967.71	3,979	\$4,023,126.05	\$1,011.09	9,873	14,584	\$14,831,622.28	\$1,016.98

MAINE COMMISSION ON PUBLIC DEFENSE SERVICES
FY25 FUND ACCOUNTING
AS OF 10/31/2024

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		\$ -		\$ -		\$ -		\$ -	\$ -
FY24 unencumbered balance forward		\$ -		\$ -		\$ -		\$ -	\$ 207,548.92
Transfer out		\$ -		\$ -		\$ -		\$ -	\$ (16,131.00)
Budget Order Adjustment		\$ -		\$ -		\$ -		\$ -	\$ -
Budget Order Adjustment		\$ (1,628,635.00)		\$ 1,628,635.00		\$ -		\$ -	\$ -
Financial Order Adjustment		\$ 93,711.00		\$ 40,358.00		\$ 40,358.00		\$ 40,358.00	\$ 214,785.00
FY24 carry forward encumbrances									\$ 64,004.02
Total Budget Allotments		\$ 11,660,730.02		\$ 11,537,531.00		\$ 8,908,892.00		\$ 3,908,886.00	\$ 36,207,456.94
Total Expenses	1	\$ (4,011,950.43)	4	\$ (4,245,512.85)	7	\$ -	10	\$ -	
	2	\$ (3,944,070.03)	5	\$ -	8	\$ -	11	\$ -	
	3	\$ (3,654,095.84)	6	\$ -	9	\$ -	12	\$ -	
Encumbrances (Justice Works)		\$ -		\$ (122,683.00)		\$ -		\$ -	
Encumbrances (Justice Works for PD users access)		\$ (26,202.00)		\$ 858.00		\$ -		\$ -	
Encumbrances (B Taylor)		\$ (17,680.03)		\$ 5,893.33		\$ -		\$ -	
Encumbrances (West Law online legal research)		\$ (4,379.18)		\$ 536.03		\$ -		\$ -	
Encumbrance (CRPD summer interns)		\$ (102.39)		\$ -		\$ -		\$ -	
Encumbrance (K. Guillory contract for website maintenance)		\$ -		\$ -		\$ -		\$ -	
Encumbrance (business cards)		\$ -		\$ -		\$ -		\$ -	
Encumbrance (training videographer)		\$ -		\$ -		\$ -		\$ -	
Encumbrance (training speaker)		\$ -		\$ -		\$ -		\$ -	
Encumbrance (training speaker)		\$ -		\$ -		\$ -		\$ -	
Accrued expenses		\$ (2,250.00)		\$ -		\$ -		\$ -	
TOTAL REMAINING		\$ 0.12		\$ 7,176,622.51		\$ 8,908,892.00		\$ 3,908,886.00	\$ 20,185,818.55
Q2 Month 4									
INDIGENT LEGAL SERVICES									
Counsel Payments	\$	(4,023,126.05)							
Interpreters	\$	(7,516.10)							
Private Investigators	\$	(34,371.12)							
Mental Health Expert	\$	(36,129.50)							
Misc Prof Fees & Serv	\$	-							
Transcripts	\$	(22,056.76)							
Other Expert	\$	(46,237.52)							
Subpoena witness	\$	-							
Process Servers	\$	(1,173.42)							
SUB-TOTAL ILS	\$	(4,170,610.47)							
OPERATING EXPENSES									
Risk Management Insurances	\$	(225.00)							
Barbara Taylor monthly fees	\$	(5,893.33)							
OIT/TELCO	\$	(35,975.80)							
INDIGENT LEGAL SERVICES									
Q2 Allotment	\$	11,537,531.00							
Encumbrances for Justice Works contract	\$	(122,683.00)							
Encumbrances for Justice Works contract for PD users access	\$	858.00							
Barbara Taylor Contract	\$	5,893.33							
Encumbrance for Videographer	\$	-							
Encumbrance for training speaker	\$	-							
Encumbrance for training speaker	\$	-							
Legal Case Management Accelerator User Assistance	\$	-							
Online Legal Research Services	\$	536.03							
Encumbrance (K. Guillory contract for website maintenance)	\$	-							
Encumbrance for CRPD summer interns	\$	-							
Accrued expenses	\$	-							
Expenses to date	\$	(4,245,512.85)							
Remaining Q1 Allotment	\$	7,176,622.51							

MAINE COMMISSION ON PUBLIC DEFENSE SERVICES
 FY25 FUND ACCOUNTING
 AS OF 10/31/2024

Mileage/Tolls/Parking	\$	(690.00)
Mailing/Postage/Freight/Stamps	\$	(435.02)
West Publishing Corp	\$	(808.07)
Candy & bowl for job fair	\$	(27.97)
Office/miscellaneous supplies/Eqp.	\$	(361.02)
Cellular Phones	\$	(3,962.79)
Periodicals/Books	\$	-
Employee/counsel lodging	\$	-
Service Center	\$	-
Business cards & envelopes	\$	-
Shredding on site - CRPD	\$	(14.00)
Legal Ads/Job Postings	\$	-
Dues	\$	(195.00)
Registration fees	\$	-
CRPD quarterly building lease	\$	-
Justice Works	\$	(23,175.00)
Miscellaneous travel expenses	\$	-
Staff meals & gratuity	\$	-
Training rooms/facilities	\$	(1,137.63)
Training catered meals	\$	(2,000.21)
Sales tax paid by state	\$	(1.54)
SUB-TOTAL OE	\$	(74,902.38)
TOTAL	\$	(4,245,512.85)

Non-Counsel Indigent Legal Services		
Monthly Total	\$	(147,484.42)
Total Q1	\$	607,270.27
Total Q2	\$	147,484.42
Total Q3	\$	-
Total Q4	\$	-
Fiscal Year Total	\$	754,754.69

MAINE COMMISSION ON PUBLIC DEFENSE SERVICES
FY25 FUND ACCOUNTING
AS OF 10/31/2024

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		\$ 592,717.00		\$ 592,715.00		\$ 308,317.00		\$ 291,167.00	\$ 1,784,916.00
Financial Order Adjustments		\$ -		\$ 637,213.00		\$ -		\$ -	\$ 637,213.00
Budget Order Adjustments		\$ -		\$ -		\$ -		\$ -	\$ 1,667,394.04
Total Budget Allotments		\$ 2,857,398.00		\$ 3,478,475.00		\$ 2,003,321.00		\$ 763,952.00	\$ 10,770,540.04
Total Expenses	1	\$ (417,528.73)	4	\$ (549,471.22)	7	\$ -	10	\$ -	
	2	\$ (323,300.13)	5	\$ -	8	\$ -	11	\$ -	
	3	\$ (404,777.35)	6	\$ -	9	\$ -	12	\$ -	
TOTAL REMAINING		\$ 1,711,791.79		\$ 2,929,003.78		\$ 2,003,321.00		\$ 763,952.00	\$ 9,075,462.61

Q2 Month 4	
Standard Overtime	\$ -
Permanent Regular	\$ (247,602.00)
Perm Part Time Full Ben	\$ (5,312.60)
Perm Vacation Pay	\$ (15,631.46)
Perm Holiday Pay	\$ -
Sick Pay	\$ (7,055.10)
Employee hlth svcs/workers comp	\$ (765.00)
Health Insurance	\$ (34,391.02)
Dental Insurance	\$ (850.44)
Employer Retiree Health	\$ (27,852.06)
Employer Retirement	\$ (20,813.84)
Employer Group Life	\$ (2,310.35)
Employer Medicare	\$ (5,690.50)
Retiree Unfunded Liability	\$ (53,726.63)
Longevity Pay	\$ (200.00)
Limited Period Regular	\$ (7,137.92)
Limited Per Vacation Pay	\$ -
Limited Per Holiday Pay	\$ -
Limit Per Sick Pay	\$ -
Retro pay contract	\$ (73,000.00)
Retro lump sum pymt	\$ (46,671.60)
Interest due employees	\$ (350.70)
Per Diem	\$ (110.00)
TOTAL	\$ (549,471.22)

MAINE COMMISSION ON PUBLIC DEFENSE SERVICES

FY25 FUND ACCOUNTING

As of 10/31/2024

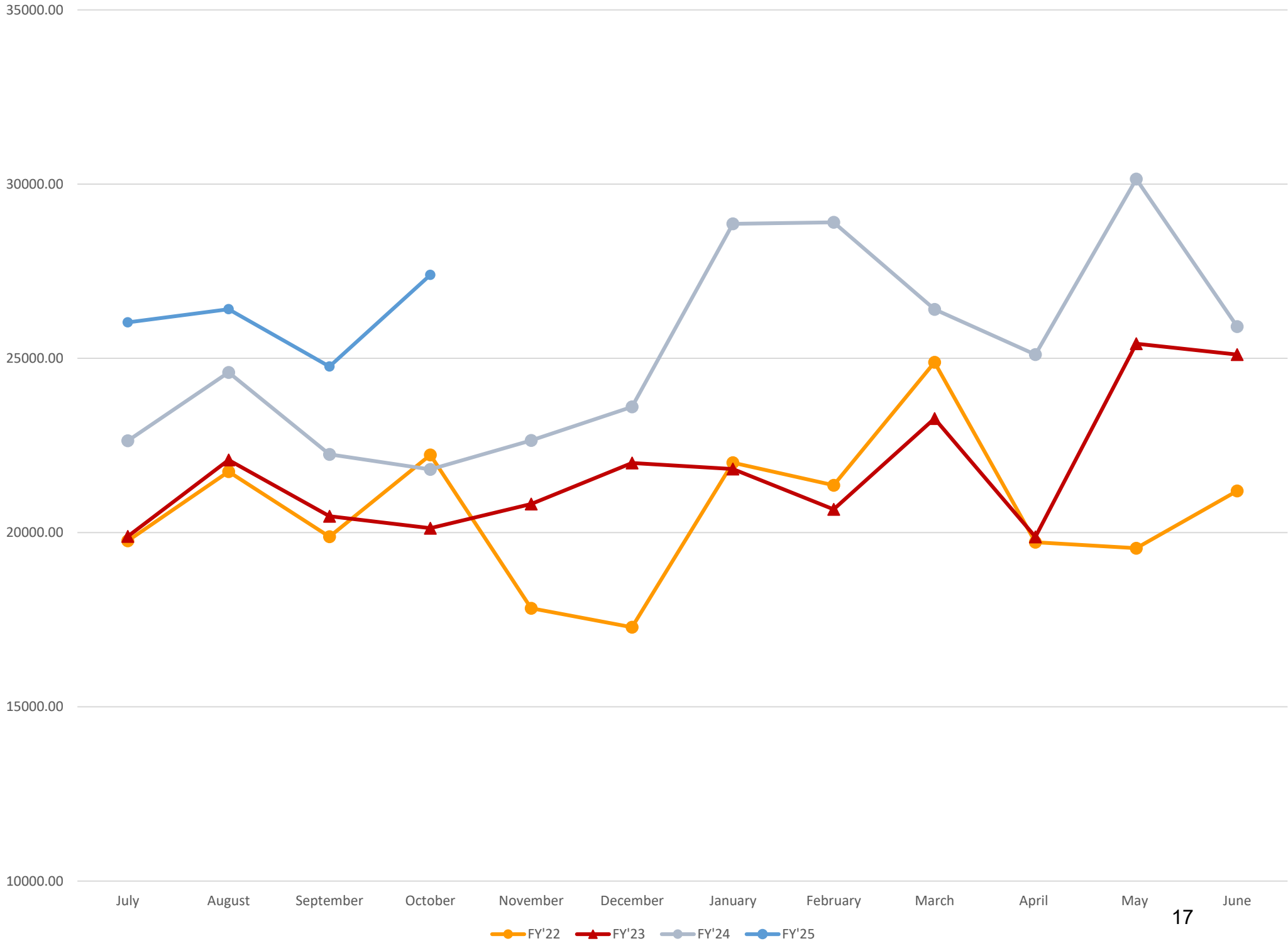
Account 014 95F Z112 01 (Revenue)	Mo.	Q1	Mo.	Q2	Mo.	Q3	Mo.	Q4	FY24 Total
Original Total Budget Allotments		\$ 785,583.00		\$ 105,144.00		\$ 104,638.00		\$ 104,635.00	\$ 1,100,000.00
		\$ -		\$ -		\$ -		\$ -	\$ -
Financial Order Adjustment-carry forward FY24		\$ 7,420,338.00		\$ 377,075.00		\$ 377,581.00		\$ 377,584.00	
Financial Order Allotment Adjustment		\$ -		\$ -		\$ -		\$ -	
Budget Order Adjustment		\$ (8,197,721.00)		\$ 8,197,721.00		\$ -		\$ -	\$ -
Budget Order Adjustment		\$ -		\$ -		\$ -		\$ -	\$ -
ADJ OF PERS SERV BALANCE FWD		\$ -		\$ -		\$ -		\$ -	\$ 1,667,394.04
Total Budget Allotments		\$ 8,200.00		\$ 8,679,940.00		\$ 482,219.00		\$ 482,219.00	\$ 9,652,578.00
Collected Revenue from JB	1	\$ 23,597.22	4	\$ -	7	\$ -	10	\$ -	
Collected Revenue from JB	2	\$ 39,749.50	5	\$ -	8	\$ -	11	\$ -	
Collected Revenue from JB	3	\$ 23,146.97	6	\$ -	9	\$ -	12	\$ -	
Collected for reimbursement of counsel fees	1	\$ 2,331.00	4	\$ 1,000.00	7	\$ -	10	\$ -	
Collected for reimbursement of counsel fees	2	\$ 5,122.00	5	\$ -	8	\$ -	11	\$ -	
Collected for reimbursement of counsel fees	3	\$ 2,590.00	6	\$ -	9	\$ -	12	\$ -	
TOTAL CASH PLUS REVENUE COLLECTED		\$ 96,536.69		\$ 1,000.00		\$ -		\$ -	\$ 97,536.69
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)							
REMAINING ALLOTMENT		\$ -		\$ 8,679,940.00		\$ 482,219.00		\$ 482,219.00	\$ 9,644,378.00

MAINE COMMISSION ON PUBLIC DEFENSE SERVICES
FY25 FUND ACCOUNTING
AS OF 10/31/2024

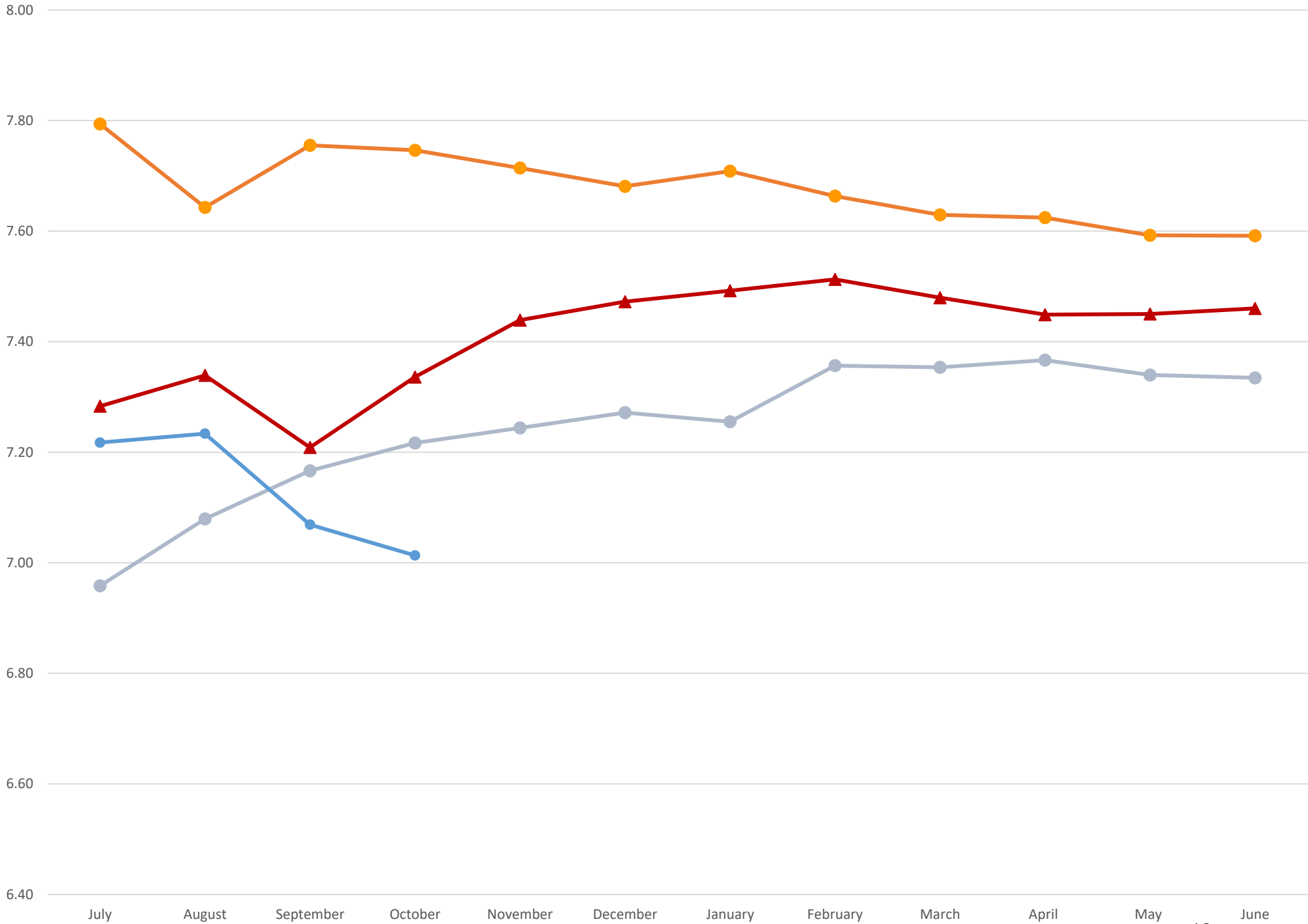
Account 014 95F Z112 02 (Conference Account)	Mo.	Q1	Mo.	Q2	Mo.	Q3	Mo.	Q4	FY24 Total
FY25 Allotment		\$ 35,000.00		\$ 22,000.00					\$ 57,000.00
Financial Order Adjustments		\$ -		\$ -		\$ -		\$ -	
Budget Order Adjustments		\$ (35,000.00)		\$ 35,000.00		\$ -		\$ -	
Budget Order Adjustments		\$ -		\$ -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

Q2 Month 4	
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	\$ -

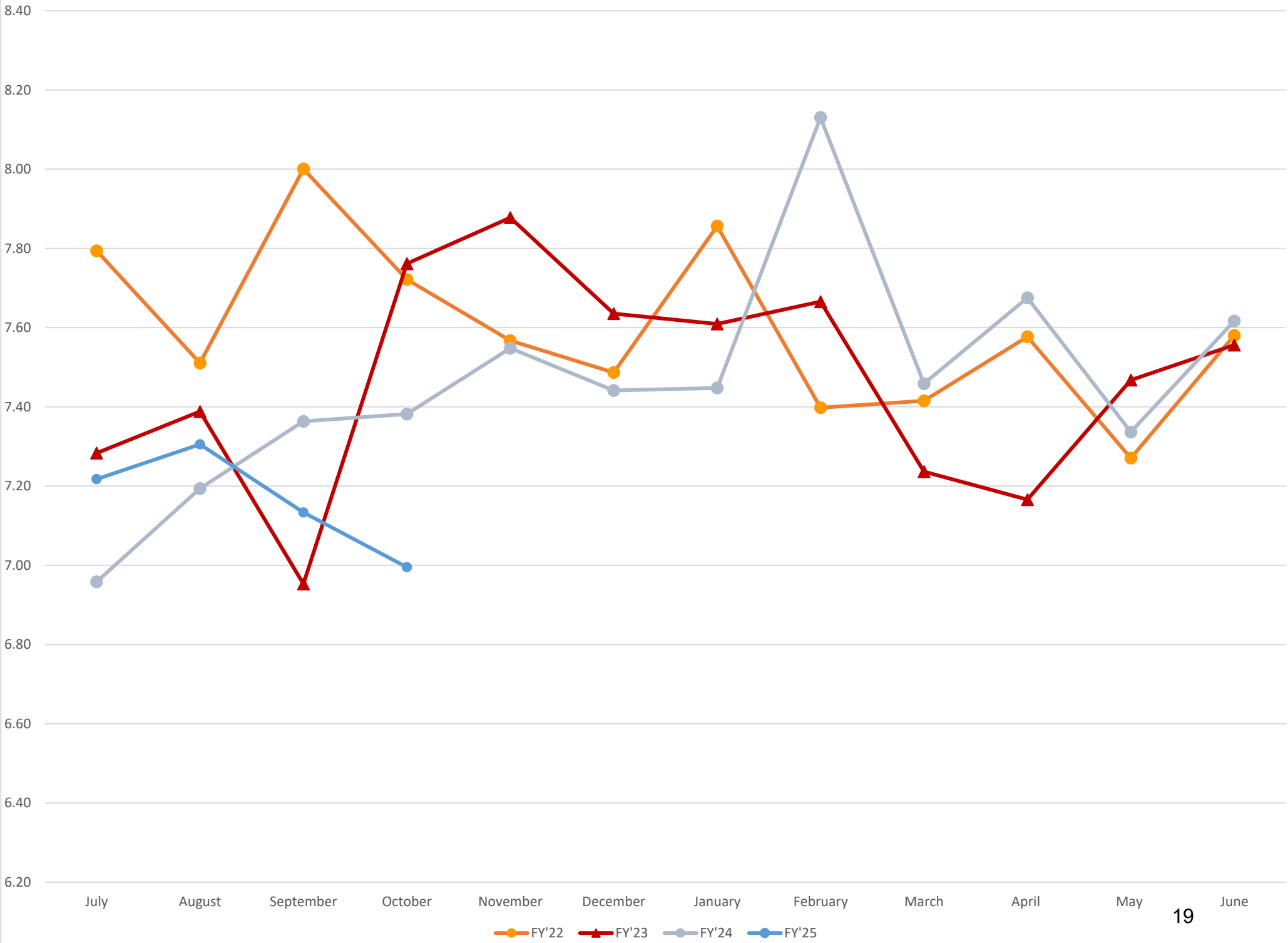
Submitted Hours Amount



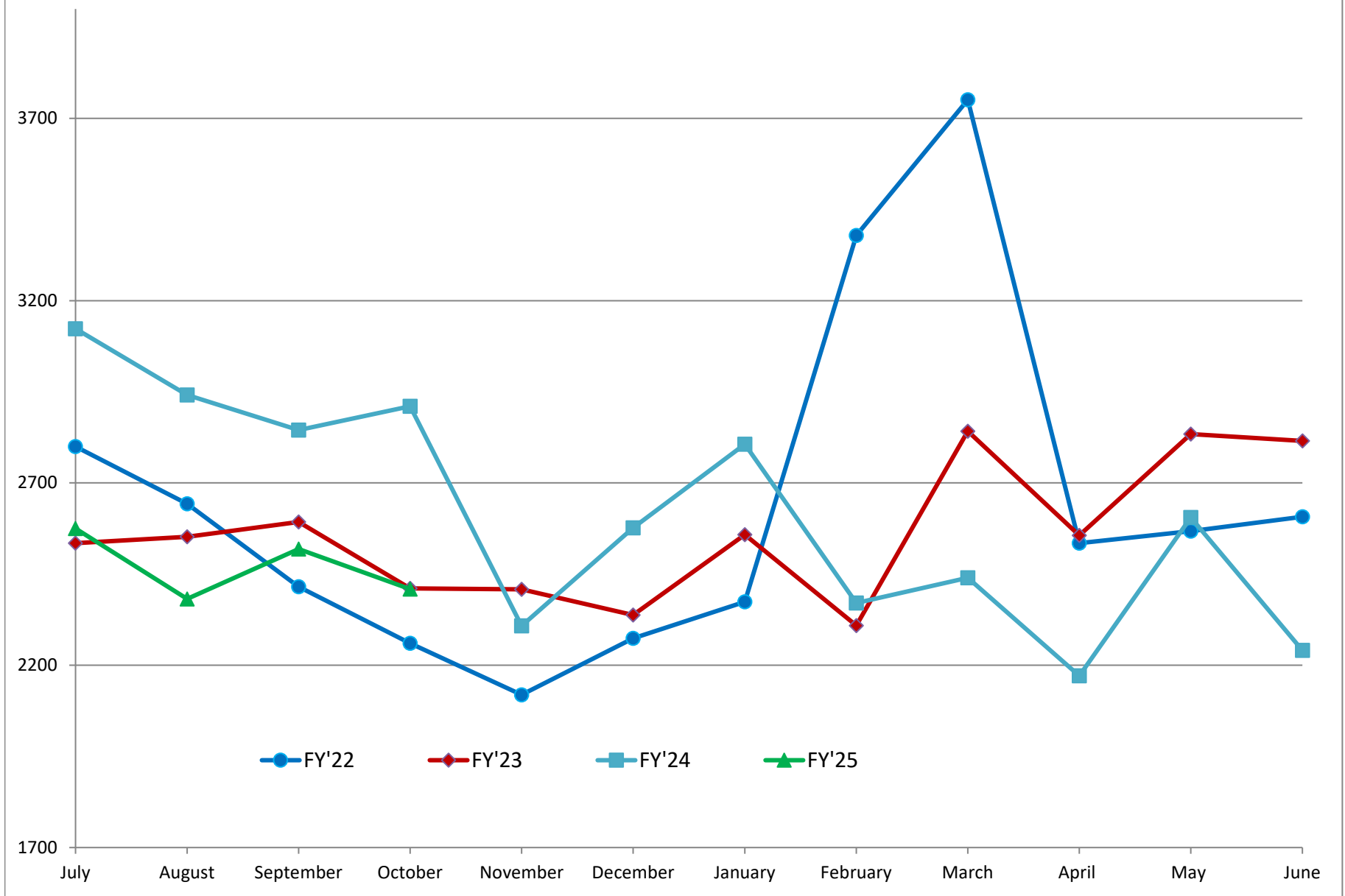
Average Hours per Voucher FYTD



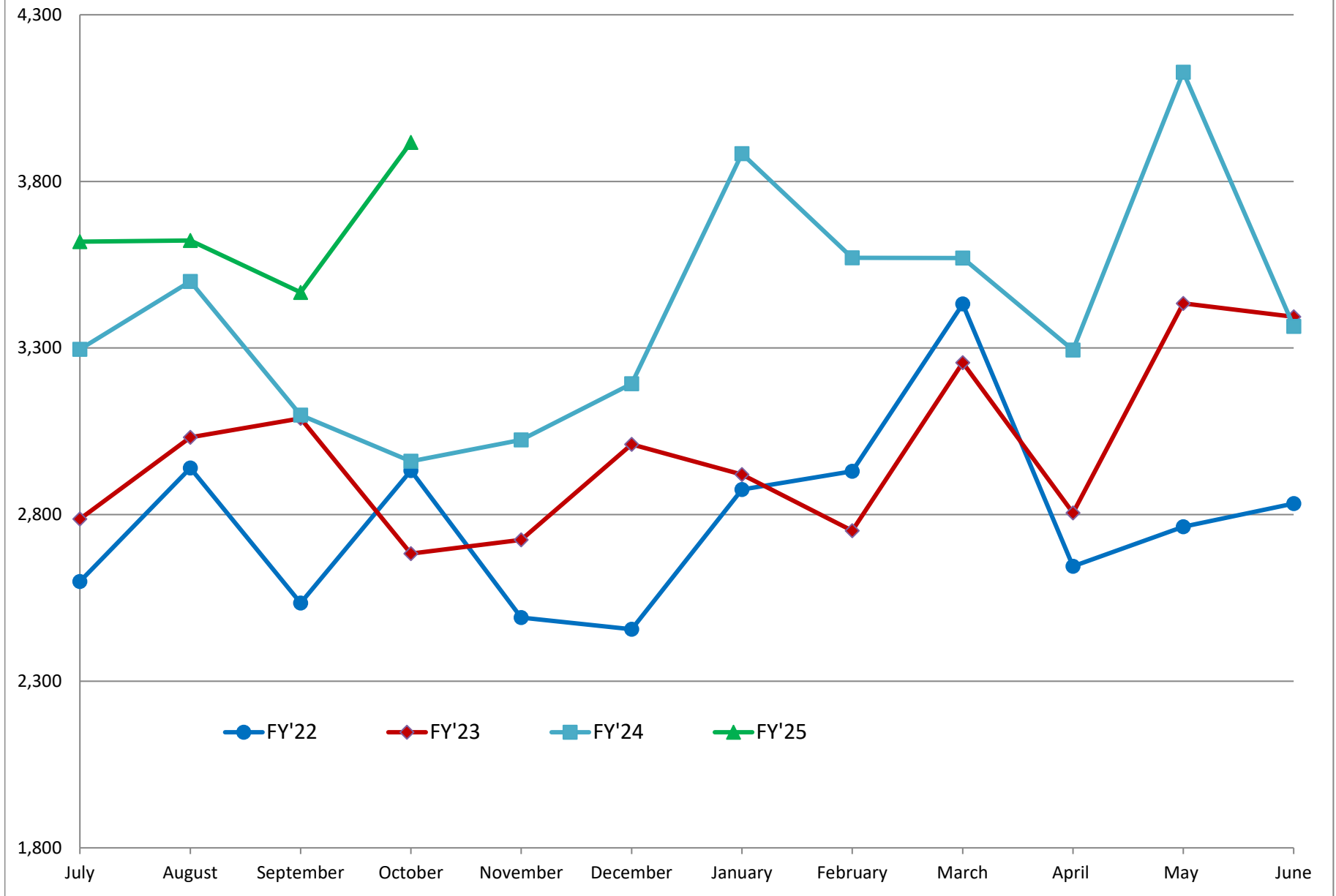
Monthly Average Hours per Voucher



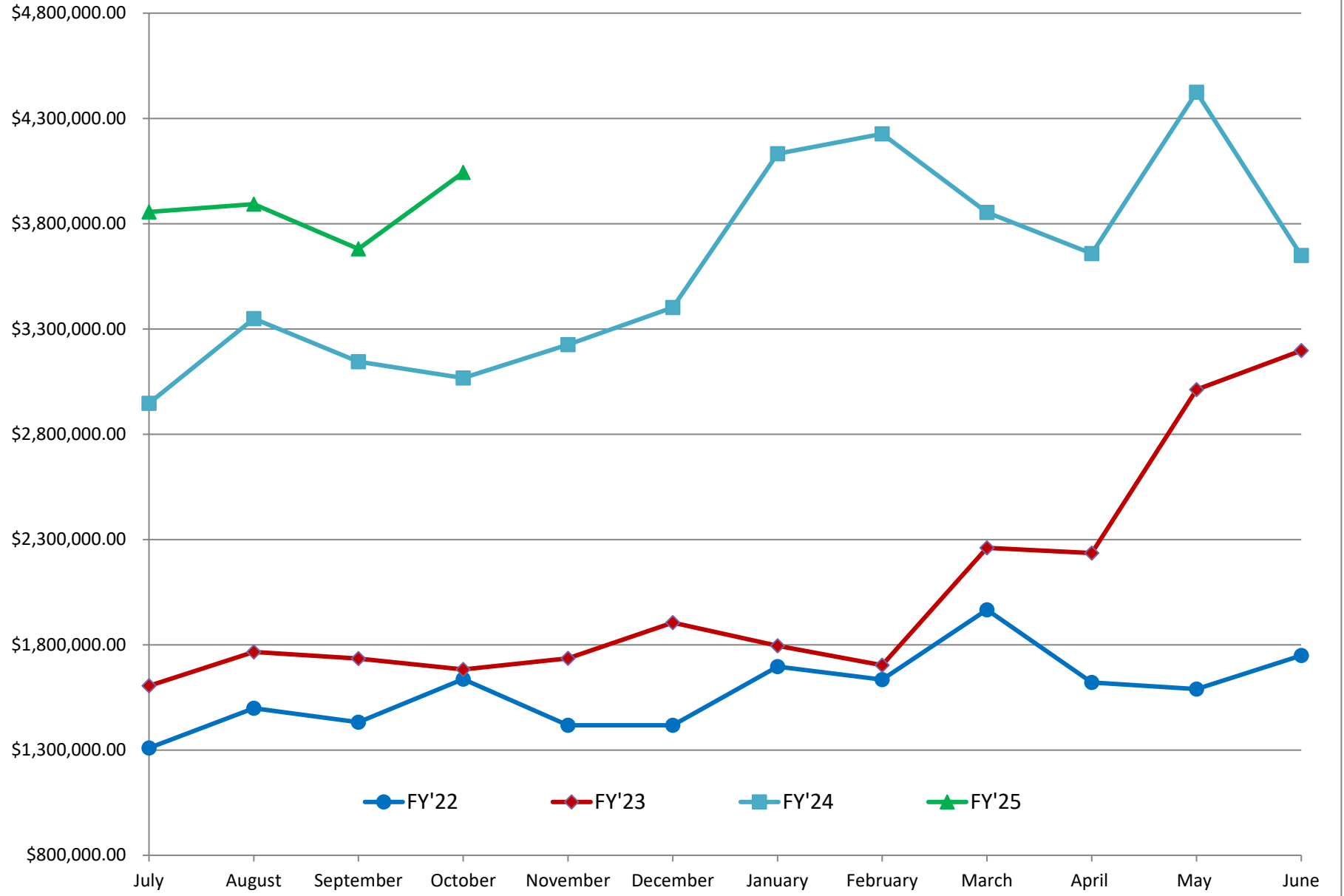
NEW CASES



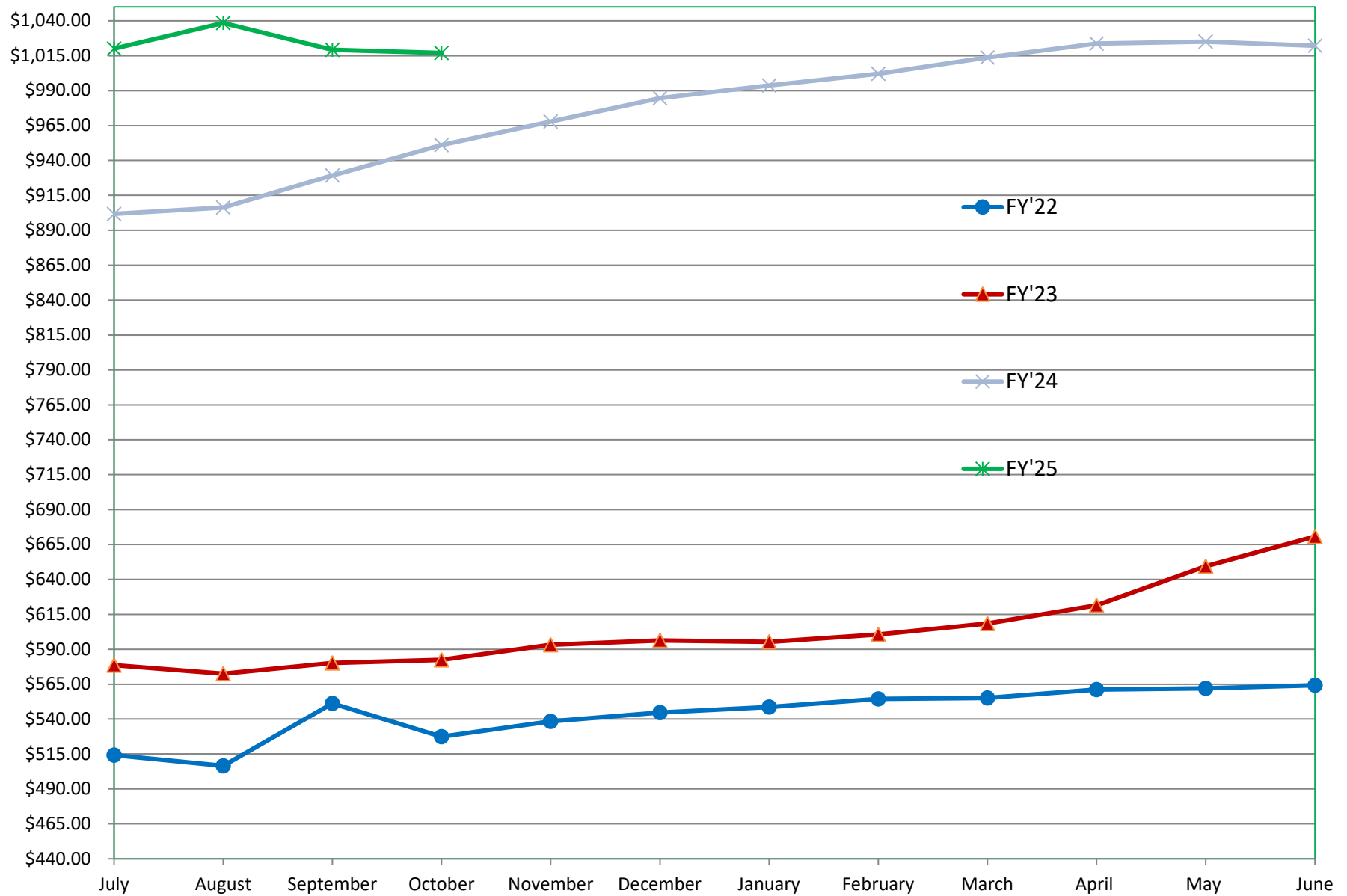
Submitted Vouchers



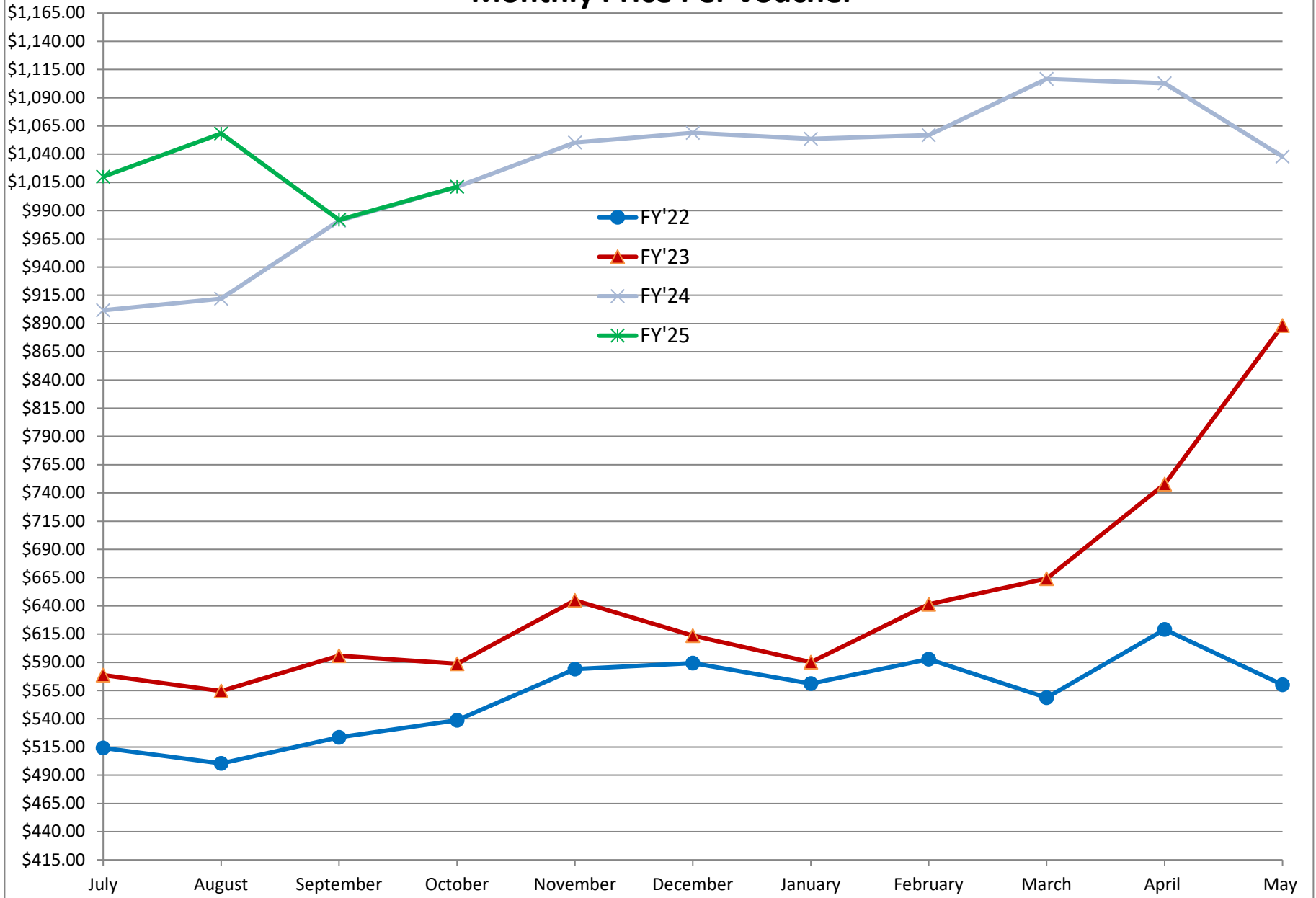
Submitted Voucher Amount



Average Voucher Price Fiscal Year to Date



Monthly Price Per Voucher



Pending UCD Cases as of November 8, 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	803	104	54	6.7%	1,493	261	257	17.2%	10	6	60.0%	2,306	365	317	13.7%
Aroostook	560	120	36	6.4%	787	249	120	15.2%	23	9	39.1%	1,370	369	165	12.0%
Caribou	109	26	10	9.2%	152	37	31	20.4%	2	1	50.0%	263	63	42	16.0%
Fort Kent	83	15	9	10.8%	171	73	22	12.9%	7	2	28.6%	261	88	33	12.6%
Houlton	149	32	7	4.7%	204	64	36	17.6%	11	6	54.5%	364	96	49	13.5%
Presque Isle	219	47	10	4.6%	260	75	31	11.9%	3	0	0.0%	482	122	41	8.5%
Cumberland	1,435	228	100	7.0%	3,649	569	652	17.9%	131	84	64.1%	5,215	797	836	16.0%
Bridgton	21	6	4	19.0%	345	47	114	33.0%	60	53	88.3%	426	53	171	40.1%
Portland	1,393	215	95	6.8%	2,881	426	461	16.0%	56	24	42.9%	4,330	641	580	13.4%
West Bath	21	7	1	4.8%	423	96	77	18.2%	15	7	46.7%	459	103	85	18.5%
Franklin	141	33	12	8.5%	354	99	89	25.1%	11	5	45.5%	506	132	106	20.9%
Hancock	335	43	20	6.0%	507	71	119	23.5%	50	28	56.0%	892	114	167	18.7%
Kennebec	564	112	54	9.6%	1,354	327	268	19.8%	11	5	45.5%	1,929	439	327	17.0%
Augusta	528	104	52	9.8%	845	195	171	20.2%	7	3	42.9%	1,380	299	226	16.4%
Waterville	36	8	2	5.6%	509	132	97	19.1%	4	2	50.0%	549	140	101	18.4%
Knox	206	28	15	7.3%	515	88	116	22.5%	6	0	0.0%	727	116	131	18.0%
Lincoln	157	31	19	12.1%	440	133	80	18.2%	13	1	7.7%	610	164	100	16.4%
Oxford	479	91	43	9.0%	847	206	121	14.3%	11	9	81.8%	1,337	297	173	12.9%
Bridgton	42	13	1	2.4%	68	17	16	23.5%	4	4	100.0%	114	30	21	18.4%
Rumford	191	30	13	6.8%	345	61	42	12.2%	4	2	50.0%	540	91	57	10.6%
South Paris	246	48	29	11.8%	434	128	63	14.5%	3	3	100.0%	683	176	95	13.9%
Penobscot	864	31	98	11.3%	1,677	35	531	31.7%	47	27	57.4%	2,588	66	656	25.3%
Bangor	835	29	92	11.0%	1,310	22	402	30.7%	31	14	45.2%	2,176	51	508	23.3%
Lincoln	7	0	4	57.1%	135	5	44	32.6%	12	11	91.7%	154	5	59	38.3%
Newport	22	2	2	9.1%	232	8	85	36.6%	4	2	50.0%	258	10	89	34.5%
Piscataquis	36	1	3	8.3%	86	1	33	38.4%	26	21	80.8%	148	2	57	38.5%
Sagadahoc	170	42	14	8.2%	381	120	79	20.7%	14	1	7.1%	565	162	94	16.6%
Somerset	285	63	15	5.3%	458	130	102	22.3%	7	0	0.0%	750	193	117	15.6%
Waldo	201	41	14	7.0%	346	107	67	19.4%	5	3	60.0%	552	148	84	15.2%
Washington	129	12	12	9.3%	208	44	29	13.9%	19	8	42.1%	356	56	49	13.8%
Calais	65	5	4	6.2%	89	19	8	9.0%	6	2	33.3%	160	24	14	8.8%
Machias	64	7	8	12.5%	119	25	21	17.6%	13	6	46.2%	196	32	35	17.9%
York	801	157	100	12.5%	2,735	767	568	20.8%	68	29	42.6%	3,604	924	697	19.3%
TOTAL	7,166	1,137	609	8.5%	15,837	3,207	3,231	20.4%	452	236	52.2%	23,455	4,344	4,076	17.4%

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, November 2023 to November 2024

Pending cases as of November 8 of each year

UCD	FELONY			MISDEMEANOR			CIVIL VIOLATION			ALL CASES		
	2023	2024	% Diff	2023	2024	% Diff	2023	2024	% Diff	2023	2024	% Diff
Androscoggin	712	803	12.8%	1,676	1,493	-10.9%	7	10	42.9%	2,395	2,306	-3.7%
Aroostook	644	560	-13.0%	1,016	787	-22.5%	26	23	-11.5%	1,686	1,370	-18.7%
Caribou	129	109	-15.5%	205	152	-25.9%	5	2	-60.0%	339	263	-22.4%
Fort Kent	88	83	-5.7%	187	171	-8.6%	3	7	133.3%	278	261	-6.1%
Houlton	187	149	-20.3%	234	204	-12.8%	7	11	57.1%	428	364	-15.0%
Presque Isle	240	219	-8.8%	390	260	-33.3%	11	3	-72.7%	641	482	-24.8%
Cumberland	1,291	1,435	11.2%	3,612	3,649	1.0%	96	131	36.5%	4,999	5,215	4.3%
Bridgton	25	21	-16.0%	274	345	25.9%	17	60	252.9%	316	426	34.8%
Portland	1,243	1,393	12.1%	2,871	2,881	0.3%	58	56	-3.4%	4,172	4,330	3.8%
West Bath	23	21	-8.7%	467	423	-9.4%	21	15	-28.6%	511	459	-10.2%
Franklin	151	141	-6.6%	420	354	-15.7%	10	11	10.0%	581	506	-12.9%
Hancock	402	335	-16.7%	723	507	-29.9%	31	50	61.3%	1,156	892	-22.8%
Kennebec	595	564	-5.2%	1,488	1,354	-9.0%	37	11	-70.3%	2,120	1,929	-9.0%
Augusta	566	528	-6.7%	949	845	-11.0%	19	7	-63.2%	1,534	1,380	-10.0%
Waterville	29	36	24.1%	539	509	-5.6%	18	4	-77.8%	586	549	-6.3%
Knox	185	206	11.4%	438	515	17.6%	10	6	-40.0%	633	727	14.8%
Lincoln	144	157	9.0%	388	440	13.4%	6	13	116.7%	538	610	13.4%
Oxford	453	479	5.7%	1,021	847	-17.0%	31	11	-64.5%	1,505	1,337	-11.2%
Bridgton	39	42	7.7%	81	68	-16.0%	2	4	100.0%	122	114	-6.6%
Rumford	159	191	20.1%	432	345	-20.1%	4	4	0.0%	595	540	-9.2%
South Paris	255	246	-3.5%	508	434	-14.6%	25	3	-88.0%	788	683	-13.3%
Penobscot	843	864	2.5%	1,954	1,677	-14.2%	76	47	-38.2%	2,873	2,588	-9.9%
Bangor	816	835	2.3%	1,472	1,310	-11.0%	33	31	-6.1%	2,321	2,176	-6.2%
Lincoln	10	7	-30.0%	245	135	-44.9%	29	12	-58.6%	284	154	-45.8%
Newport	17	22	29.4%	237	232	-2.1%	14	4	-71.4%	268	258	-3.7%
Piscataquis	31	36	16.1%	102	86	-15.7%	26	26	0.0%	159	148	-6.9%
Sagadahoc	181	170	-6.1%	423	381	-9.9%	16	14	-12.5%	620	565	-8.9%
Somerset	249	285	14.5%	515	458	-11.1%	13	7	-46.2%	777	750	-3.5%
Waldo	188	201	6.9%	332	346	4.2%	6	5	-16.7%	526	552	4.9%
Washington	146	129	-11.6%	302	208	-31.1%	9	19	111.1%	457	356	-22.1%
Calais	71	65	-8.5%	145	89	-38.6%	1	6	500.0%	217	160	-26.3%
Machias	75	64	-14.7%	157	119	-24.2%	8	13	62.5%	240	196	-18.3%
York	992	801	-19.3%	3,779	2,735	-27.6%	108	68	-37.0%	4,879	3,604	-26.1%
TOTAL	7,207	7,166	-0.6%	18,189	15,837	-12.9%	508	452	-11.0%	25,904	23,455	-9.5%

Columns

- 2023** Number of cases having at least one charge without a disposition, and without a currently active warrant as of November 8, 2023
- 2024** Number of cases having at least one charge without a disposition, and without a currently active warrant as of November 8, 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, November 2019 to November 2024

Pending cases as of November 8 of each year

UCD	FELONY			MISDEMEANOR			CIVIL VIOLATION			ALL CASES		
	2019	2024	% Diff	2019	2024	% Diff	2019	2024	% Diff	2019	2024	% Diff
Androscoggin	426	803	88.5%	1,402	1,493	6.5%	23	10	-56.5%	1,851	2,306	24.6%
Aroostook	415	560	34.9%	719	787	9.5%	17	23	35.3%	1,151	1,370	19.0%
Caribou	66	109	65.2%	176	152	-13.6%	0	2	0.0%	242	263	8.7%
Fort Kent	47	83	76.6%	132	171	29.5%	5	7	40.0%	184	261	41.8%
Houlton	124	149	20.2%	164	204	24.4%	8	11	37.5%	296	364	23.0%
Presque Isle	178	219	23.0%	247	260	5.3%	4	3	-25.0%	429	482	12.4%
Cumberland	934	1,435	53.6%	2,711	3,649	34.6%	134	131	-2.2%	3,779	5,215	38.0%
Bridgton	12	21	75.0%	221	345	56.1%	44	60	36.4%	277	426	53.8%
Portland	905	1,393	53.9%	2,185	2,881	31.9%	66	56	-15.2%	3,156	4,330	37.2%
West Bath	17	21	23.5%	305	423	38.7%	24	15	-37.5%	346	459	32.7%
Franklin	92	141	53.3%	272	354	30.1%	6	11	83.3%	370	506	36.8%
Hancock	206	335	62.6%	520	507	-2.5%	37	50	35.1%	763	892	16.9%
Kennebec	393	564	43.5%	1,157	1,354	17.0%	42	11	-73.8%	1,592	1,929	21.2%
Augusta	383	528	37.9%	639	845	32.2%	25	7	-72.0%	1,047	1,380	31.8%
Waterville	10	36	260.0%	518	509	-1.7%	17	4	-76.5%	545	549	0.7%
Knox	161	206	28.0%	352	515	46.3%	6	6	0.0%	519	727	40.1%
Lincoln	97	157	61.9%	221	440	99.1%	13	13	0.0%	331	610	84.3%
Oxford	205	479	133.7%	533	847	58.9%	18	11	-38.9%	756	1,337	76.9%
Bridgton	24	42	75.0%	76	68	-10.5%	6	4	-33.3%	106	114	7.5%
Rumford	85	191	124.7%	225	345	53.3%	8	4	-50.0%	318	540	69.8%
South Paris	96	246	156.3%	232	434	87.1%	4	3	-25.0%	332	683	105.7%
Penobscot	393	864	119.8%	1,145	1,677	46.5%	54	47	-13.0%	1,592	2,588	62.6%
Bangor	385	835	116.9%	936	1,310	40.0%	39	31	-20.5%	1,360	2,176	60.0%
Lincoln	4	7	75.0%	84	135	60.7%	3	12	300.0%	91	154	69.2%
Newport	4	22	450.0%	125	232	85.6%	12	4	-66.7%	141	258	83.0%
Piscataquis	21	36	71.4%	55	86	56.4%	21	26	23.8%	97	148	52.6%
Sagadahoc	96	170	77.1%	286	381	33.2%	17	14	-17.6%	399	565	41.6%
Somerset	152	285	87.5%	431	458	6.3%	20	7	-65.0%	603	750	24.4%
Waldo	104	201	93.3%	320	346	8.1%	7	5	-28.6%	431	552	28.1%
Washington	107	129	20.6%	216	208	-3.7%	20	19	-5.0%	343	356	3.8%
Calais	48	65	35.4%	104	89	-14.4%	12	6	-50.0%	164	160	-2.4%
Machias	59	64	8.5%	112	119	6.3%	8	13	62.5%	179	196	9.5%
York	712	801	12.5%	2,622	2,735	4.3%	112	68	-39.3%	3,446	3,604	4.6%
TOTAL	4,514	7,166	58.8%	12,962	15,837	22.2%	547	452	-17.4%	18,023	23,455	30.1%

Columns

- 2019** Number of cases having at least one charge without a disposition, and without a currently active warrant as of November 8, 2019
- 2024** Number of cases having at least one charge without a disposition, and without a currently active warrant as of November 8, 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

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

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

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.

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.

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.

Maine Commission on Public Defense Services

Proposed Rule: Chapter 5, Co-Counsel Requirements

Response to Public Comments

Comment #1 (Attorney Annette Wilson):

“Section 3: Parameters for Co-Counsel Requests, Paragraph 5 D.

This paragraph limits the work of a second attorney within the same firm who may be rendering assistance to a colleague to three hours absent prior written authorization from the Executive Director.

While I would hope that such prior authorization would be given liberally, my experience is that sometimes there is no time to ask for permission, only forgiveness. In a firm where less experienced attorneys are privileged to work with and be mentored by more experienced counsel, the opportunity to work on discrete projects is one of the best ways to learn. Three hours is, in my opinion, not enough time for many cases and can stifle the ability to effectively learn and be mentored.

For example, if my colleague is working on a serious felony, a murder, etc., there are often many motions that get filed pre-trial; motions to suppress, motions in limine, etc. It is not unusual for an attorney with associates to reach out to an associate literally in the middle of a hearing to ask for research on some topic or another that has only arisen because of something learned during the course of the hearing. It would be very easy to spend 3 or even more than 3 hours on some discrete project in the course of a week – for a case that may not even have yet gone to trial. Continually asking for three hours here and then three hours two months from now and three hours a month later would be burdensome and stifling to the learning and mentoring process.

Further, many clients have multiple docket numbers and matters with very discrete fact patterns. DV may exist with aggravated trafficking and an OUI, for example. Each carries its own unique set of applicable laws and regulations, all of course very fact specific. It would not be unheard of to need help on any or all of these matters – and three hours spread across multiple dockets could happen quite easily, and be difficult to track per client as Defender Data requires entering time for every docket number – so the potential to have to open up 5 or 6 cases to track hours to make sure a person hasn’t exceeded three is very real. And that takes up valuable time.

I would suggest a ten (10) hour combined total for this section of the rule. Ten hours of intermittent work on a matter would typically take place over several months and I believe in most cases would rarely be exceeded. In those cases where there may be multiple co-counsel and jury trials forthcoming, it would not be unusual for an associate to be asked to work on several discrete projects, exhibits, research, etc. in the course of preparing for a

trial. The associate would not be doing independent, substantive representation, but rather supporting a more experienced attorney who can then focus on those issues directly related to the jury process and actual trial. That is when it would make sense to request authorization for additional hours, because it would be more predictable.

And on a more practical note, how would an attorney bill for those hours when Data Defender is right now limited to situations where an attorney is assigned to a matter as counsel or co-counsel?”

PDS Response: It is difficult to imagine a circumstance in which an attorney who is not co-counsel would need to spend more than three hours on a case on an emergency basis such that there would be no time to request preauthorization. The examples the commenter used (suppression motions and motions in limine) are, even by the text of the comment, ones that are “often” filed. If the motions are often filed, it should not come as a surprise that the attorney may need assistance from another attorney. If there is a possibility that an attorney may need assistance from another attorney who is not co-counsel and that assistance could exceed three hours, then the attorney should request preauthorization in advance of the hearing, motion, etc.

Part of the comment misunderstands the proposed rule. An attorney would not be limited to requesting preauthorization in increments of three hours. An attorney could request preauthorization for an attorney who is not co-counsel to assist on a case for any number of hours, so repeated requests would not typically be necessary.

An attorney who is not assigned to the case as co-counsel, but is performing work pursuant to Section 3(5), will be able to enter their time in the same defenderData case entry that the attorney who has been assigned to the case is using.

Comment #2 (Attorney Paul Corey):

“I second Annette's comments. Anecdotally, in my last murder trial, myself and co-counsel were working late nights and long weekends during the trial as issues came up, i.e. motions for discovery sanctions, requested jury instructions, evidentiary issues. It would be very helpful to be able to utilize other attorneys in the firm to do research while I'm in trial. The AAG's have the benefit of emailing and calling their colleagues for assistance when they are in trial; defense counsel should have the same benefit and not have to rely on the generosity of other attorneys to help.”

PDS Response: The proposed rule would not prohibit other attorneys from assisting. It would only require that preauthorization be obtained prior to the attorney who was not assigned spending more than three hours on the case.

Comment #3 (Attorney Peter Cyr):

“I am responding to your email inquiring about how the co counsel process has been going at my office. I think it is going great. It is a good opportunity for Ian and Charlese [sic] to get experience working on serious felony cases and OUI’s. As their co counsel, I take responsibility for the cases in general. I go through the discovery process and the investigation process with them and guide them along the way. Help them with decided whether a private investigator is necessary or any other expert (psychological, forensics, ballistics).

I meet with the clients with Ian and Charles. The clients know that I am co counsel. That seems to give the clients trust that they are ultimately being represented by an experienced attorney. It is so important to be frank with a criminal client with respect to their situation. It is so important to give the client confidence that they are in good experienced hands. It helps with client control and expectations.

I work with Ian and Charles on providing them with the necessary information regarding plea negotiations with the state. Walking them through how to handle a dispositional conference. I have taking on the task of arguing at complicated bail hearings so they can see how it is done. We have prepared for a number of jury trials that have eventually been resolved (but only because of the preparation that we did before hand). Ultimately, I am doing the cases with them.”

PDS Response: PDS accepts this comment.

Maine Commission on Public Defense Services

Proposed Rule: Chapter 5, Co-Counsel Requirements

Detailed Basis Statement:

Pursuant to statute,

The Maine Commission on Public Defense Services, established by [Title 5, section 12004-G, subsection 25-A](#), is an independent commission whose purpose is to provide high-quality, effective and efficient representation and promote due process for persons who receive indigent legal services in parity with the resources of the State and consistent with federal and state constitutional and statutory obligations. The commission shall work to ensure the delivery of indigent legal services by qualified and competent counsel in a manner that is fair and consistent throughout the State and to ensure adequate funding of a statewide system of indigent legal services, which must be provided and managed in a fiscally responsible manner, free from undue political interference and conflicts of interest. 4 M.R.S. § 1801.

The Commission is statutorily obligated to adopt rules regarding “Other standards considered necessary and appropriate to ensure the delivery of high-quality, effective and efficient indigent legal services.” 4 M.R.S. § 1804(G).

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. This Chapter balances the need to ensure high-quality representation with the Commission’s obligation to manage the system of indigent legal services in a fiscally responsible manner.