

SENATE

MICHAEL E. CARPENTER, DISTRICT 2, CHAIR  
SHENNA BELLOWS, DISTRICT 14  
LISA M. KEIM, DISTRICT 18

MARGARET J. REINSCH, SENIOR LEGISLATIVE ANALYST  
SAM SENFT, LEGISLATIVE ANALYST  
SUSAN M. PINETTE, COMMITTEE CLERK



HOUSE

DONNA BAILEY SACO, CHAIR  
CHRISTOPHER W. BABBIDGE, LEWISTON  
BARBARA A. CARDONE, BANGOR  
LOIS GALGAY RECKITT, SOUTH PORTLAND  
RACHEL TALBOT ROSS, PORTLAND  
THOM HARNETT, GARDINER  
DAVID G. HAGGAN, HAMPDEN  
PHILIP CURTIS, MADISON  
JOHN DEVEAU, CARIBOU  
JEFFREY EVANGELOS, FRIENDSHIP

STATE OF MAINE  
ONE HUNDRED AND TWENTY-NINTH LEGISLATURE  
COMMITTEE ON JUDICIARY

March 4, 2020

TO: Senator Catherine E. Breen, Senate Chair  
Representative Drew Gattine, House Chair  
Joint Standing Committee on Appropriations and Financial Affairs

FROM: Senator Michael E. Carpenter, Senate Chair  
Representative Donna Bailey, House Chair  
Joint Standing Committee on Judiciary

Re: Supplemental Budget recommendations

Thank you for the opportunity to provide the Judiciary Committee's recommendations concerning the Supplemental Budget. We reviewed and have made recommendations for the Department of the Attorney General (some unanimous, some divided), the Maine Human Rights Commission (unanimous), the Maine Indian Tribal-State Commission (unanimous), the Maine Commission on Indigent Legal Services (divided, plus language in Part CC) the Judicial Department (divided) and Pine Tree Legal Assistance (unanimous). The work sheet is attached showing the votes on each initiative, as well as Part CC.

The Judiciary Committee supports the additional funding requested by the Judicial Branch: funding for GALs for FY20; funding for psychological examinations for FY20 and FY21; funding for judicial marshals for entry screening for FY20 and FY21.

As you know, the Judiciary Committee is continuing its efforts to address concerns about the provision of indigent legal services in Maine. Because the Maine Commission on Indigent Legal Services will be presenting its recommendations on Tuesday, March 10, 2020, we have not had the benefit of that discussion in developing this report on the Supplemental Budget. The full committee supports the funding in the Budget plus the funding for the two new positions requested by MCILS, starting in FY20. Knowing time is short, several members of the Judiciary Committee voted to include in this Supplement Budget the funding recommended by the Sixth Amendment Center in its 2019 report to improve training, qualifications requirements and financial oversight by fully expanding the "central office" of MCILS and creating a statewide Appellate Defender Office. The budgets proposed in the 6AC report for each component are attached (Appendix A and Appendix B). The same members supporting the 6AC recommendations also support the additional funds in FY21 to flat-fund the attorney compensation account: \$2,804,980. We will provide you with more information as we continue our work with MCILS to reform the provision of indigent legal services.

We are happy to answer any questions.

attachment

**Sec. A-3. Appropriations and allocations.**

The following appropriations and allocations are made.

**ATTORNEY GENERAL, DEPARTMENT OF THE**

**Administration - Attorney General 0310**

Initiative: Establishes one Attorney General Detective position to investigate Medicaid financial crimes and provides funding for related All Other costs.

Ref. #: P.A-16 Committee Vote: 11-1 (LK) AFA Vote: \_\_\_\_\_  
*absent DH*

FEDERAL EXPENDITURES FUND	2018-19	2019-20	2020-21
POSITIONS - LEGISLATIVE COUNT	0.000	1.000	1.000
Personal Services	\$0	\$27,848	\$115,782
All Other	\$0	\$3,599	\$14,395
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$31,447</b>	<b>\$130,177</b>

**Justification:**

In federal fiscal year 2017, MaineCare had a \$2.7 billion-dollar budget and Maine's Medicaid Financial Crimes Unit (MFCU) had 9 staff. After a 20% expansion, the budget will be at \$3.2 billion. States with Medicaid programs in this range include Kansas at \$3.4 billion and a MFCU staff of 15 and Nevada with a \$3.7 billion Medicaid program and a MFCU staff of 17. There is currently \$675 million in MaineCare spending per detective. At \$3.2 billion with current staff, that will result in \$800 million in MaineCare spending per detective. This can be reduced to \$640 million per detective if we add one detective. As of May 2019, including new enrollees under expansion, there were approximately 250,000 MaineCare and Child Health Insurance Program members, or 62,500 members per detective at current MFCU staffing levels. Currently, MFCU detectives are averaging about 18 open cases each, plus commonly have several fresh allegations and MFCU-mandated referrals for review to see if full investigation is warranted. This position is included in the approved federal fiscal year 2019-20 budget.

**District Attorneys Salaries 0409**

Initiative: Transfers 2 part-time Assistant District Attorney positions and 4 full-time Assistant District Attorney positions from the Federal Expenditures Fund to the General Fund within the same program for continued investigation and prosecution of impaired driving cases.

Ref. #: P.A-16 Committee Vote: 9-3 (PC LK) AFA Vote: \_\_\_\_\_  
*absent DH*

GENERAL FUND	2018-19	2019-20	2020-21
POSITIONS - LEGISLATIVE COUNT	0.000	0.000	5.000
Personal Services	\$0	\$0	\$432,134
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$432,134</b>

Ref. #: \_\_\_\_\_ Committee Vote: 9-3 (PC LK) AFA Vote: \_\_\_\_\_  
*absent DH*

FEDERAL EXPENDITURES FUND	2018-19	2019-20	2020-21
POSITIONS - LEGISLATIVE COUNT	0.000	0.000	(5.000)
Personal Services	\$0	\$0	(\$432,134)

FEDERAL EXPENDITURES FUND TOTAL

\$0                      \$0                      (\$432,134)

**Justification:**

These positions were funded by the pilot Public Safety Grant "Impaired Driving Special Prosecutors" grant. The grant funding will end on September 30, 2020. These positions are in Prosecutorial Districts I, II, III, IV, V and VII. National Highway Traffic Safety Administration funded these positions on a pilot basis to increase technical expertise and specialized impaired driving prosecution abilities. These positions have proven critical to changing the way District Attorneys' Offices investigate and prosecute impaired driving cases. Last year, these offices handled 6,152 impaired driving prosecutions. Although the number of cases has not significantly increased over the past 3 years, the expertise and increased attention these attorneys have brought have significantly improved the quality of the investigation and prosecution of these cases, resulting in more convictions on more serious charges. Impaired driving cases are very litigious, and now prosecutors can finally take cases to hearing or trial which previously were plea-bargained for a lesser charge or lesser sentence. Impaired Driving Special Prosecutors are also invested in training police officers which has resulted in better police reporting and investigation. Furthermore, with the advent of recreational marijuana, and the frequency of poly substance use, coupled with the absence of a scientific test or threshold for impairment and the reliance on Drug Recognition Experts, impaired driving cases are even more complicated and more time consuming to prosecute. In addition, these positions reduce the average caseloads for the Assistant District Attorneys to get closer to American Bar Association standards of no more than 400 misdemeanor cases per attorney per year. The standard set for felony cases is 150 per attorney per year, and for juvenile cases is 200 per attorney per year.

**Human Services Division 0696**

Initiative: Establishes one Assistant Attorney General position dedicated to the child protection division and provides funding for related All Other costs.

Ref. #:

*P.A-17*

Committee Vote:

*12-0*

AFA Vote:

*absent DH*

**OTHER SPECIAL REVENUE FUNDS**

POSITIONS - LEGISLATIVE COUNT

Personal Services

All Other

**OTHER SPECIAL REVENUE FUNDS TOTAL**

	2018-19	2019-20	2020-21
POSITIONS - LEGISLATIVE COUNT	0.000	1.000	1.000
Personal Services	\$0	\$26,593	\$109,870
All Other	\$0	\$2,580	\$10,315
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$29,173</b>	<b>\$120,185</b>

**Justification:**

Due to an increasing number of child abuse and neglect reports and corresponding assessments, The Department of Health and Human Services (DHHS) has significantly increased the number of child protective services social workers. In addition to recent position increases of over 60 new staff, the Department has obtained a detailed caseload and workload analysis and expressed a need to add 33 additional social workers and 29 support staff. In the past two years, the Office of Child and Family Services (OCFS) has seen a dramatic increase in calls to Central Intake and new assessments assigned to field staff. This has resulted in greater numbers of court cases being filed and litigated. On July 1, 2018, there were 1,724 children in state care. On September 1, 2019, there were 2,195. Also, reports of suspected neglect and abuse that were "deemed appropriate for assessment" surged from 7,463 in 2016 to 11,831 in 2018, an increase of almost 60%. Many of these involve pre-litigation advice from Assistant Attorney General's (AAG). The substantial increase in the Department's workload and workforce for child protection services directly correlates to workload for the Office of the Attorney General's Child Protection AAGs and administrative staff. Child Protection AAGs advise DHHS before they take cases to court, after the cases are filed in court, and all the way through the appeals. These AAGs prepare and handle hundreds of trials each year and their court appearances number in the thousands each year. These same AAGs provide comprehensive legal services to OCFS, including legal training for OCFS staff, processing Orders for production of Child Protection Services documents and caseworker testimony in civil and criminal

litigation, and legal advice to OCFS on every aspect of child welfare services and policy. The American Bar Association has recommended caseload limits of 60 trial court cases per trial attorney for this type of state agency representation. In Maine, the caseloads far exceed the American Bar Association recommendations, with each AAG carrying an average of 100 cases prior to DHHS's 2018 staffing increase. While one additional AAG project position was established by Financial Order (a position we have requested to make permanent in this supplemental budget), more positions are needed. This position addresses the second staffing increase by DHHS, and directly impacts the safety of Maine's most vulnerable population, its children.

**Human Services Division 0696**

Initiative: Continues one Assistant Attorney General position dedicated to the child protection division and provides funding for related All Other costs. This position was established by Financial Order 000438 FO.

Ref. #:	One Time	Committee Vote: <u>12-0</u>	AFA Vote: _____		
<i>page A-17</i>		<i>absent by</i>			
<b>OTHER SPECIAL REVENUE FUNDS</b>			<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>
POSITIONS - LEGISLATIVE COUNT			0.000	0.000	1.000
Personal Services			\$0	\$0	\$109,870
All Other			\$0	\$0	\$10,315
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>			<b>\$0</b>	<b>\$0</b>	<b>\$120,185</b>

**Justification:**

The Department of Health and Human Services (DHHS) has significantly increased the number of child protective cases it has filed in court in the past 18 months, resulting in approximately 400 additional children in DHHS custody this year, compared to the same time last year. This is the highest number of children subject to child protection court cases in over a decade. DHHS is increasing their workforce for child protection, having established 65 new positions for child protection social workers. DHHS is making an additional request for 40 child protection staff, which will grow the total to 105 new staff members at DHHS dedicated to child protection work. This increase of approximately 30% growth in the Department's workforce for child protection, directly correlates to workload for the Office of the Attorney General and its dedicated team of Child Protection Assistant Attorney Generals (AAG) and their administrative staff. Child Protection AAGs handle a total of approximately 2,000 cases in the trial courts which require in excess of 4000 court appearances and hundreds of trials, all set on a priority basis or expedited court scheduling track. Child Protection AAG also handle over 80 appeals annually in the Maine Supreme Court, which is the highest number of appeals to Maine's highest court handled by any single division at the Attorney General's Office. These Assistant Attorney Generals additionally manage numerous other core responsibilities including training of Office of Child and Family Service (OCFS) staff, advising OCFS daily on case evidence collection, evidence management, service of process, drafting court-related records, and much more. In sum, DHHS is responding to a need to increase staffing, assess more families, and file more cases in the trial courts, which results in corresponding increases in appellate caseloads and the need for more legal services. The American Bar Association has recommended caseload limits of 60 trial court cases per trial attorney for this type of state agency representation; each full-time litigation AAG currently on staff carries an average of 100 cases. This position directly impacts the safety of Maine's most vulnerable population, its children.

**ATTORNEY GENERAL, DEPARTMENT OF THE**

<b>DEPARTMENT TOTALS</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>
<b>GENERAL FUND</b>	\$0	\$0	\$432,134
<b>FEDERAL EXPENDITURES FUND</b>	\$0	\$31,447	(\$301,957)
<b>OTHER SPECIAL REVENUE FUNDS</b>	\$0	\$29,173	\$240,370
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	\$0	\$60,620	\$370,547

Sec. A-16. Appropriations and allocations.

The following appropriations and allocations are made.

HUMAN RIGHTS COMMISSION, MAINE

Human Rights Commission - Regulation 0150

Initiative: Provides funding for the approved range change of one Maine Human Rights Investigator position from range 24 to range 26 effective August 20, 2018.

Ref. #:	Committee Vote: <u>12-0</u>	AFA Vote: _____		
<i>P.A-61</i>	<i>absent BH</i>			
<b>GENERAL FUND</b>		<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>
Personal Services		\$0	\$9,674	\$5,781
<b>GENERAL FUND TOTAL</b>		<u>\$0</u>	<u>\$9,674</u>	<u>\$5,781</u>

Justification:

This range change was approved by the Bureau of Human Resources on June 27, 2019. This funding includes the retroactive amount from August 20, 2018 to June 30, 2019 plus interest.

Human Rights Commission - Regulation 0150

Initiative: Provides funding for the approved reclassification of one Secretary Associate Legal position to a Secretary Associate Legal Supervisor position effective June 10, 2019.

Ref. #:	Committee Vote: <u>12-0</u>	AFA Vote: _____		
<i>P.A-61</i>	<i>absent BH</i>			
<b>GENERAL FUND</b>		<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>
Personal Services		\$0	\$3,169	\$2,969
<b>GENERAL FUND TOTAL</b>		<u>\$0</u>	<u>\$3,169</u>	<u>\$2,969</u>

Justification:

This reclassification was approved by the Bureau of Human Resources on December 17, 2019. This funding includes the retroactive amount from June 10, 2019 to June 30, 2019 plus interest.

Human Rights Commission - Regulation 0150

Initiative: Provides funding for the approved range change of 4 Maine Human Rights Investigator positions from range 24 to range 26 effective June 27, 2019.

Ref. #:	Committee Vote: <u>12-0</u>	AFA Vote: _____		
<i>P.A-61</i>	<i>absent BH</i>			
<b>GENERAL FUND</b>		<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>
Personal Services		\$0	\$2,586	\$10,291
<b>GENERAL FUND TOTAL</b>		<u>\$0</u>	<u>\$2,586</u>	<u>\$10,291</u>

Ref. #:

*PA-61*

Committee Vote:

12-0

AFA Vote:

\_\_\_\_\_

*absent DH*

**FEDERAL EXPENDITURES FUND**

Personal Services

All Other

**FEDERAL EXPENDITURES FUND TOTAL**

2018-19	2019-20	2020-21
\$0	\$3,681	\$14,971
\$0	\$279	\$1,137
<hr/>	<hr/>	<hr/>
\$0	\$3,960	\$16,108

**Justification:**

These reorganizations were approved by the Bureau of Human Resources on June 27, 2019.

---

**HUMAN RIGHTS COMMISSION, MAINE**

**DEPARTMENT TOTALS**

GENERAL FUND

FEDERAL EXPENDITURES FUND

**DEPARTMENT TOTAL - ALL FUNDS**

2018-19	2019-20	2020-21
\$0	\$15,429	\$19,041
\$0	\$3,960	\$16,108
<hr/>	<hr/>	<hr/>
\$0	\$19,389	\$35,149

Sec. A-17. Appropriations and allocations. The following appropriations and allocations are made.

**INDIAN TRIBAL-STATE COMMISSION, MAINE**

**Maine Indian Tribal-state Commission 0554**

Initiative: Provides one-time funding to sustain part-time contracted research and projects within the Maine Indian Tribal-State Commission.

Ref. #:	One Time	Committee Vote: <u>12-0</u>	AFA Vote: _____		
<i>P.A-62</i>		<i>absent BH</i>			
<b>GENERAL FUND</b>			<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>
All Other			\$0	\$0	\$50,000
<b>GENERAL FUND TOTAL</b>			<b>\$0</b>	<b>\$0</b>	<b>\$50,000</b>

**Justification:**

This initiative will allow the Maine Indian Tribal-State Commission to continue to conduct research and projects that are currently paid for with carryover funds.

**INDIAN TRIBAL-STATE COMMISSION, MAINE**

<b>DEPARTMENT TOTALS</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>
<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$0</b>	<b>\$50,000</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$0</b>	<b>\$50,000</b>



Sec. A-18. Appropriations and allocations.

The following appropriations and allocations are made.

INDIGENT LEGAL SERVICES, MAINE COMMISSION ON

+ Part CC

Reserve for Indigent Legal Services Z258

Initiative: Provides one-time additional funding for indigent legal services.

Ref. #:	One Time	Committee Vote:	AFA Vote:		
P, A-63		12-0 absent JD			
OTHER SPECIAL REVENUE FUNDS			2018-19	2019-20	2020-21
All Other			\$0	\$2,036,206	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL			\$0	\$2,036,206	\$0

Justification:

This initiative provides additional funding for indigent legal services to bring the All Other budget for fiscal year 2019-20 and fiscal year 2020-21 into line with the current spending. For fiscal year 2019-20 and fiscal year 2020-21, the biennial budget provides substantially less funding for indigent legal services than has been appropriated for the last several years. These additional amounts will essentially provide flat funding. Failure to provide these funds will leave the agency unable to cover the costs of indigent legal services in May and June of fiscal year 2019-20 and cause an even greater shortfall in fiscal year 2020-21 (this initiative associates with language).

INDIGENT LEGAL SERVICES, MAINE COMMISSION ON

DEPARTMENT TOTALS	2018-19	2019-20	2020-21
OTHER SPECIAL REVENUE FUNDS	\$0	\$2,036,206	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$2,036,206	\$0

- 2 positions requested by MCILS FY20: \$42,716 FY21: 179,256  
12-0 (absent JD)
- FY21: \$2,804,980 All Other (atty compensation)  
8-4 (absent JD)
- For state Appellate Public Defender FY21: \$2,369,659.22  
8-4 (absent JD) [Appendix A from 6AC]
- For Central Office - total of 8 employees FY21: \$1,424,740.70  
8-4 (absent JD) [Appendix B from 6AC]

**Sec. A-20. Appropriations and allocations.**

The following appropriations and allocations are made.

**JUDICIAL DEPARTMENT**

**Courts - Supreme, Superior and District 0063**

Initiative: Establishes one Information Technology Field Technician position and provides funding for All Other related costs.

Ref. #:

*P.A-69*

Committee Vote: 8-3 (PC JD LR) AFA Vote: \_\_\_\_\_  
*absent DH LR*

**OTHER SPECIAL REVENUE FUNDS**

	2018-19	2019-20	2020-21
POSITIONS - LEGISLATIVE COUNT	0.000	0.000	1.000
Personal Services	\$0	\$0	\$107,399
All Other	\$0	\$0	\$6,800
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$114,199</b>

**Justification:**

To adequately support Penobscot County with an Information Technology Field Technician position.

**Courts - Supreme, Superior and District 0063**

Initiative: Provides funding for the increase of one Project Manager Associate position from 40 hours biweekly to 80 hours biweekly.

Ref. #:

*P.A-69*

Committee Vote: 11-1 (JD) AFA Vote: \_\_\_\_\_  
*absent DH LR*

**GENERAL FUND**

	2018-19	2019-20	2020-21
POSITIONS - LEGISLATIVE COUNT	0.000	0.500	0.500
Personal Services	\$0	(\$15,099)	\$42,909
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>(\$15,099)</b>	<b>\$42,909</b>

**Justification:**

Public Law 2019, chapter 497 established one part-time Project Manager Associate position to oversee the electronic court notification system however, a full-time position is required for this function.

**Courts - Supreme, Superior and District 0063**

Initiative: Reallocates the cost of one limited-period Child Protective and Juvenile Program Specialist position from 100% Federal Expenditures Fund to 70% Federal Expenditures Fund and 30% General Fund within the same program.

Ref. #:

*P.A-69*

Committee Vote: 11-1 (JD) AFA Vote: \_\_\_\_\_  
*absent DH*

**GENERAL FUND**

	2018-19	2019-20	2020-21
Personal Services	\$0	\$9,138	\$39,548

GENERAL FUND TOTAL	\$0	\$9,138	\$39,548
--------------------	-----	---------	----------

Ref. #: P. A-69 Committee Vote: 11-1 (JD) AFA Vote: \_\_\_\_\_  
*absent DH*

FEDERAL EXPENDITURES FUND	2018-19	2019-20	2020-21
Personal Services	\$0	(\$9,138)	(\$39,548)
FEDERAL EXPENDITURES FUND TOTAL	\$0	(\$9,138)	(\$39,548)

**Justification:**  
 To allocate 30% of the Child Protective and Juvenile Program Specialist position from Federal Expenditures Fund to General Fund due to the work on Juvenile activities.

**Courts - Supreme, Superior and District 0063**

Initiative: Provides funding for the increase in guardian ad litem costs from increased child protective case filings.

Ref. #: P. A-69 Committee Vote: 10-1 (JD) AFA Vote: \_\_\_\_\_  
*absent DH*  
*reused MC*

GENERAL FUND	2018-19	2019-20	2020-21
All Other	\$0	\$0	\$574,151
GENERAL FUND TOTAL	\$0	\$0	\$574,151

**Justification:**  
 Increase in guardian ad litem costs due to an increase in child protective case filings. Child protective case filings increased from 891 in fiscal year 2017-18 to 1,285 in fiscal year 2018-19 resulting in a 44% increase. Along with the increase in filings, the guardians ad litem were encouraged to follow best practices to increase quality and thoroughness in their investigations thus increasing the time spent on cases and cost.

**Courts - Supreme, Superior and District 0063**

Initiative: Provides funding for the technology costs to enable sufficient bandwidth for the proper functionality of the case management system.

Ref. #: P. A-69 Committee Vote: 10-1 (JD) AFA Vote: \_\_\_\_\_  
*absent DH LK*

GENERAL FUND	2018-19	2019-20	2020-21
All Other	\$0	\$37,000	\$37,000
GENERAL FUND TOTAL	\$0	\$37,000	\$37,000

**Justification:**  
 Many court locations would be far below the 25-million circuit needed for a paperless court system. The Department of Administrative and Financial Services, Office of Information Technology gives bandwidth based on a number of users. Some court locations have very few court employees but still need the bandwidth to scan, upload and download court documents. This amount represents an estimate of what the additional cost will be based on meetings with network

services.

**Courts - Supreme, Superior and District 0063**

Initiative: Provides funding for the technology costs to provide sufficient circuitry for public access to the courts.

Ref. #:

p, A-69

Committee Vote:

B-3 (PC JD LL)  
absent DH

AFA Vote: \_\_\_\_\_

**GENERAL FUND**

All Other

**GENERAL FUND TOTAL**

2018-19	2019-20	2020-21
\$0	\$4,000	\$4,000
\$0	\$4,000	\$4,000

**Justification:**

A dedicated 100-million circuit is required to enable reliable public access in the courts.

**JUDICIAL DEPARTMENT**

**DEPARTMENT TOTALS**

**GENERAL FUND**

**FEDERAL EXPENDITURES FUND**

**OTHER SPECIAL REVENUE FUNDS**

**DEPARTMENT TOTAL - ALL FUNDS**

2018-19	2019-20	2020-21
\$0	\$35,039	\$697,608
\$0	(\$9,138)	(\$39,548)
\$0	\$0	\$114,199
\$0	\$25,901	\$772,259

Additional Judicial Branch

• GAL for FY20: \$574,151

10-0 absent JD, DH recused NK

• Psychological examinations FY20: \$118,880 FY21: \$118,880

11-0 absent JD, DH

• Security - Marshals FY21: \$1,621,000

11-0 absent JD, DH

**Sec. A-27. Appropriations and allocations.**

The following appropriations and allocations are made.

**PINE TREE LEGAL ASSISTANCE**

**Legal Assistance 0553**

Initiative: Provides funding for the continuation of free legal aid services to veterans at Togus Veterans Administration Medical Center and other veterans health centers by specially trained staff attorneys at Pine Tree Legal Assistance.

Ref. #:	Committee Vote: <u>11-0</u>	AFA Vote: _____		
<i>P, A-81</i>	<i>absent DH, LR</i>			
<b>GENERAL FUND</b>		<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>
All Other		\$0	\$0	\$150,000
<b>GENERAL FUND TOTAL</b>		<u>\$0</u>	<u>\$0</u>	<u>\$150,000</u>

**Justification:**

Because the legal system is complicated, the average American often doesn't know about important legal rights and protections. Sometimes, this lack of knowledge is deliberately used by others for unfair advantage. Because veterans traditionally work with the non-lawyer staff at Veteran Service Organizations (VSOs), many of their legal needs are unmet. The annual Veterans Affairs CHALENG survey also documents that legal issues are a consistent unmet need for low-income veterans.

Pine Tree Legal Assistance (PTLA) provides free legal assistance to low-income Maine residents around the State, but must turn away more than 75% of requests because of limited program funds. This initiative would provide ongoing funds to continue a successful medical/legal collaboration between PTLA and staff at Togus Veterans Administration Medical Center (VAMC) to help veterans with their legal needs. It was started as a pilot project with private foundation funds and has been very successful as a way to connect veterans with free legal assistance, both onsite at Togus and via tele-health to veterans affairs (VA) outpatient clinics around the State. VA Maine healthcare clinical staff, including staff at Togus VAMC where our project is co-located, screen and refer veterans to Pine Tree. Veterans with health-harming legal problems (such as homelessness, unsafe housing conditions, the need for reasonable accommodations or unstable income due to unlawful debt) are prioritized by VAMC staff. Their cases are handled by PTLA attorneys with special expertise in the legal needs of veterans. The project is strongly supported by Togus VAMC leadership and staff, but VA funding restrictions do not allow it to provide financial support. The requested funds would allow the project to continue at the same level of service for the next two years.

**PINE TREE LEGAL ASSISTANCE**

<b>DEPARTMENT TOTALS</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>
GENERAL FUND	\$0	\$0	\$150,000
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u>\$0</u>	<u>\$0</u>	<u>\$150,000</u>

**PART CC**

**Sec. CC -1. PL 2019, c 343, Part PPPP, §1** is amended to read:

**Sec. PPPP-1. Transfer from General Fund; indigent legal services.** On or immediately after July 1, 2019, the State Controller shall transfer ~~\$16,526,403~~\$18,562,609 unappropriated surplus of the General Fund to the Maine Commission on Indigent Legal Services, Reserve for Indigent Legal Services program, Other Special Revenue Funds.

**PART CC  
SUMMARY**

This Part is to increase the transfer amount for Indigent Legal Services in fiscal year 2019-20 from \$16,526,403 to \$18,562,609.

12-0 absent JD

# APPENDIX A

## MCILS ADMINISTRATION

PERSONNEL	TITLE	SALARY	BENEFITS	POSITIONS	TOTAL
ATTORNEYS	Executive Director	\$101,002.17	\$54,385.78	1	\$155,387.95
	Deputy Director	\$96,906.00	\$54,267.36	1	\$151,173.36
	Training Director	\$72,418.42	\$38,994.53	1	\$111,412.95
	Family Law Resource Attorney	\$72,418.42	\$38,994.53	1	\$111,412.95
	Delinquency Resource Attorney	\$72,418.42	\$38,994.53	1	\$111,412.95
	Adult Trial Resource Attorney	\$72,418.42	\$38,994.53	1	\$111,412.95
	Mental Health Resource Atty	\$72,418.42	\$38,994.53	1	\$111,412.95
	Audit Director	\$70,675.00	\$39,578.00	1	\$110,253.00
	Training staff	\$37,408.00	\$20,948.48	2	\$116,712.96
	Auditing staff	\$37,408.00	\$20,948.48	2	\$116,712.96
Sub-Total					\$1,207,304.98

NON-PERSONNEL EXPENSES	CURRENT	PROJECTED
Risk management insurances	\$1,795.39	\$7,181.56
Mailing/postage/freight	\$4,675.71	\$18,702.84
Cellular phones service	\$1,406.69	\$5,626.76
Service center	\$3,095.00	\$12,380.00
Office supplies & equipment	\$2,062.61	\$8,250.44
Office equipment rental	\$1,274.45	\$5,097.80
Eyeglasses reimbursement	\$300.00	\$1,200.00
OIT/TELCO	\$27,774.75	\$111,099.00
Subscriptions	\$327.75	\$1,311.00
Dues	\$585.00	\$2,340.00
Annual report prorated	\$9.58	\$38.32
Annual parking permit fee	\$1,140.00	\$4,560.00
Printing/binding	\$22.00	\$88.00
InforME annual fee	\$2,640.00	\$10,560.00
Sub-Total		\$188,435.72

CAPITAL EXPENDITURES	RATE	NUMBER	TOTAL
Laptop computer	\$1,400.00	10	\$14,000.00
Furniture	\$1,200.00	10	\$12,000.00
Cell phones	\$300.00	10	\$3,000.00
Sub-Total			\$29,000.00

**GRAND TOTAL** **\$1,424,740.70**

# APPENDIX B

## STATE APPELLATE DEFENDER OFFICE

PERSONNEL	TITLE	SALARY	BENEFITS	POSITIONS	TOTAL
ATTORNEYS	Chief Public Defender	\$101,002.17	\$54,385.78	1	\$155,387.95
	Deputy Public Director	\$96,906.00	\$54,267.36	1	\$151,173.36
	Assistant Public Defender	\$72,418.42	\$38,994.53	11	\$1,225,542.45
	Investigator	\$43,068.00	\$24,118.08	1	\$67,186.08
	Social Worker	\$43,068.00	\$24,118.08	1	\$67,186.08
	Paralegal	\$38,500.00	\$21,560.00	3	\$180,180.00
	Office Manager	\$43,068.00	\$24,118.08	1	\$67,186.08
Sub-Total					\$1,913,842.00

NON-PERSONNEL EXPENSES	COST/STAFF	PROJECTED
Risk Management Insurances	\$598.46	\$11,370.80
Mailing/Postage/Freight	\$1,558.57	\$29,612.83
Cellular Phones	\$468.90	\$8,909.04
Service Center (payroll processing, etc.)	\$1,031.67	\$19,601.67
Office Supplies/Equip.	\$687.54	\$13,063.20
Office Equipment Rental	\$424.82	\$8,071.52
Eyeglasses reimbursement	\$100.00	\$1,900.00
OIT/TELCO	\$9,258.25	\$175,906.75
Subscriptions	\$109.25	\$2,075.75
Dues	\$195.00	\$3,705.00
Annual report prorated	\$3.19	\$60.67
Annual parking permit fee	\$380.00	\$7,220.00
Printing/Binding	\$7.33	\$7,500.00
InforME Annual Fee (webhosting, etc.)	\$880.00	\$16,720.00
Rent	\$5,000.00	\$95,000.00
Sub-Total		\$400,717.22

CAPITAL EXPENDITURES	RATE	NUMBER	TOTAL
Laptop computer	\$1,400.00	19	\$26,600.00
Furniture	\$1,200.00	19	\$22,800.00
Cell phones	\$300.00	19	\$5,700.00
Sub-Total			\$55,100.00

**GRAND TOTAL** **\$2,369,659.22**